COMMON SENSE SEN. GEORGE McGOVERN

THE NATION

JULY 19, 1975 50 cents

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LETTERS

breaking the silence

Sarasota, Fla.

After reading Richard O'Mara's article ["Latin America: The Hole in the News," *The Nation*, July 5], I was immediately moved to write (something that doesn't often happen to me).

North Americans' lack of knowledge and understanding about Latin America is shocking. This much I knew. But what I didn't know was that *The Nation* receives very few letters about its articles on Latin America. I had assumed that readers of *The Nation* appreciated this coverage. Perhaps, like me, they don't often write letters of praise to newspapers and magazines. I, for one, try to read everything you publish about Latin America and wish that you would expand your coverage. Don't let the lack of letters discourage you. We may not be a silent majority as yet, but we are surely silent.

Paul E. Greene

can't stop

Milwaukee, Wis.

Every time I get ready to stop extending my subscription you put out a super issue. Your May 31st edition was just great. The article on the Assyrians was unique, while Michael Klare's article, "After Vietnam, A New Strategy for the Pacific," was as informative as it was original. One final note: Oates on Styron was the best view I have seen on that long-boiling controversy. Please find enclosed a check for another year.

Michael Kaplan

Freda Kirchwey letters wanted

As a Woodrow Wilson doctoral dissertation fellow in women's studies for next year, I am writing "Freda Kirchwey and *The Nation*: A Personal and Intellectual Study." I should therefore appreciate the loan of any of her letters to friends and colleagues that may broaden the scope of my study.

Sara Alpern
50 Follen St., No. 211, Cambridge, Mass. 02138

unlawful kickbacks

Riverside, Calif.

In re your editorial, "The Seamy Side" [June 28], dealing with bribes and kickbacks to foreign officials, I would like to call your attention to the Internal Revenue Tax Code Sec. 162 (c) (1) which states in part:

> No deduction shall be allowed under subsection (a) for any payment made, directly or indirectly, to an official or employee of any government, or of any agency or instrumentality of any government, if the payment constitutes an illegal bribe or kickback or, if the payment is to an official or employee of a foreign government, the payment would be unlawful under the laws of the United States. . . .

It is obvious that these bribes are already illegal under U.S. law and the financial statements prepared by the independent accountants should have been made with an adverse or disclaimer of opinion.

Walter R. Farmer

pure and impure

New York City

It is unfortunate that Lawrence Alloway in his review of co-op galleries in SoHo [*The Nation*, June 21] did not admit his personal involvement. He passes sweeping and unfounded personal judgments as to the quality of art in the "pure" (his word, his quote) and the "impure" (by his implication) galleries.

Since he does not give one shred of evidence to support this personal judgment (which, besides, could be easily refuted), he should at least say that his wife belongs to one of the "pure" co-ops and that all his associations are with them.

I hasten to add that I am sure Alloway is unaware of his own oversight although it stands out like a sore thumb to an objective observer.

Ida Silverstein
A painter, independent of all galleries.

EDITORIALS

The Other State

When historians evaluate the past thirty years, "We may well find that the FBI and the CIA . . . were actually far more dangerous to the health and the legitimacy of American society than the Communists," Prof. Kenneth E. Boulding recently told a conference on law and a changing society at Stanford, sponsored by the American Bar Association and the American Assembly of Columbia University. "If it had not been for the FBI, the Communist Party in the United States might well have disappeared twenty years ago. The machinations of the CIA around the world, and still more the war in Vietnam, have done an enormous amount to reinforce the legitimacy of communism. . . . If, as it has, anti-communism becomes mean, debasing and cruel—perhaps in imitation of that which it tried to overthrow—it would not be surprising if a great wave of revulsion throws people into the arms of the very system from which we are trying to defend them."

The operative phrase in this interesting statement is "when the historians evaluate the past thirty years." That task is by no means complete; indeed it has scarcely been undertaken. What is needed for such an undertaking is a perspective which, at the moment, is lacking. For example, Watergate and recent disclosures about the FBI and CIA have inspired a spate of theories designed to explain what has happened to our system of government. The most prevalent of these is that the "imperial Presidency" has acquired such overweening power that it has been able to bend other institutions to its will. But as the recent disclosures about the two agencies indicate, such a theory is far off the mark. To understand what has happened it is necessary to utilize the concept of "the dual state." (See "Emergence of the Dual State" by Alan Wolfe, *The Nation*, March 29.) For some years, beginning with World War II, we have had two federal government entities: the government established by the Constitution, largely concerned nowadays with domestic affairs, and the military and intelligence agencies, subject only to executive control. Many of their activities are cloaked in secrecy, and are largely concerned with foreign policy. By the very nature of the activities of these agencies they function out of the view, so to speak, of most citizens. Combined, they account for a sizable portion of the federal budget. The intelligence "community" alone spends more than $6 billion a year, employs an estimated 200,000 persons, and is made up of ten federal agencies. The "imperial Presidency" does not account for the emergence of this "other state," this unconstitutional or extra-constitutional state; it is "the other state" that largely accounts for the expanded powers of the Presidency. It is the President's power over this network of agencies and their willingness to respond to his commands and directives that constitute the crisis of legitimacy which has surfaced since Watergate. Without the agencies his power could not be called "imperial," nor would it be particularly disturbing.

What is most disturbing about "the other state" is the attitude of its spokesmen and what this implies. If these men ever believed in the basic concepts of a democratic so-

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ciety, they have long since abandoned their belief, judging by what some of their spokesmen say. William Colby, director of the CIA, feels that it is proper to infiltrate a Congressman's campaign committee, to keep files on some seventy-odd members of the House, to destroy files that he knew he would be asked to produce, and to delete key pages from an inspector's report which was submitted to the Rockefeller Commission. Not only did he have no qualms about these and similar actions; he thinks they were proper. And if one examines the more recent disclosures about the FBI, an even more odious pattern emerges. The FBI stands convicted of violating most of the tenets of what might be called a code of government behavior in a democratic state. Some of these acts have been pronounced "outrageous" by the Attorney General, but there is no evidence that the agency so regarded them when they were committed, or does even now. The best to be said for the FBI is that a few individuals in the agency, belatedly, had misgivings about what they were doing.

The point is simply this: "the other state," which is not subject to democratic controls and constitutional restraints, breeds a set of undemocratic convictions and attitudes, the "ethos" of authoritarianism or, more specifically, an anti-democratic code. Recently viewers of TV saw and heard Dean Rusk testify that since the "enemy" engages in "mean and dirty business" we have no alternative but to engage in mean and dirty business ourselves. He made this quite explicit by quoting Leo Durocher's well-known quip that "nice guys finish last." But it is not possible, as Dr. Boulding notes, to engage in anti-democratic practices overseas without such practices spilling over into large areas of domestic life; in fact this is precisely what happened with the CIA. So critics of the FBI and CIA should zero in on "the other state"; they should examine its powers, the secrecy that cloaks its actions, the way in which it frustrates Congressional supervision and the thrust and direction of its policies. And then they should consider the basic question: is "the other state" compatible with democratic governmental practices as we have known them for the last 200 years?

'Operation Holystone'

Like a plot culled from the 1950s' end-of-the-world genre of popular novels, plays and films, the story of "Operation Holystone" sends shivers down the spine. *They almost did it this time.* The 1969 underwater collision of American and Soviet submarines could have led to a nuclear explosion—and almost did. According to Seymour Hersh's reconstruction in *The New York Times* an American spy ship, the *Gato*, had accidentally drifted to within a nautical mile of the USSR shore. General orders for "Holystone" missions, according to one of Hersh's sources, authorized the use of weapons if the subs were detected and threatened inside the 12-mile limit. After the collision with the Soviet ship, the *Gato*'s weapons officer prepared to arm his ship's nuclear weapons. "Only one authorization—either from the ship's captain or her executive officer—was needed to prepare the torpedoes for launching," Hersh reports. "No order came from *Gato*'s captain because the Soviet vessel—obviously confused—made no attempt to pursue the *Gato*. Instead, she began

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utilizing her fathometer in an apparent effort to determine whether she had struck a seamount or a similar underwater object. The Soviet vessel surfaced moments later." Previously the San Diego *Evening Tribune* reported that a collision between Soviet and U.S. nuclear-powered submarines had occurred in 1974. So what else has been going on? How many more "Holystones" are yet to be disclosed? The fact that the *Pintado* was also within Soviet territorial waters would suggest that neither accident was the result of navigational negligence. The *Gato* incident, hazardous as it was, did have a touch of macabre humor: the captain summoned the crew of 100 or so to tell them mum's the word, evidently and incredibly believing such a story could be permanently hushed up. As might be expected, at least two members of the crew talked: Hersh attributes the story to "former crew members." Thanks to them—and to the sources of the *Evening Tribune* story—we have been given a glimpse into what are or were apparently routine operations. This kind of Navy-CIA operation is inherently much too dangerous in terms of any possible "intelligence" that might be acquired. The risk factor is only the greater because of the cover-ups and concealment.

Nicholas Horrock of *The New York Times* revealed still another bizarre intelligence project just two days after Hersh exposed the "Holystone" crash and subsequent falsification of records. Horrock reported that a Washington-based charter airline, owned and operated by the CIA—the Fairways Corporation—had shuttled Vice Presidents, members of Congress and Democratic Party officials to various locations, on chartered flights, without their knowledge of the plane's ownership or that the crew personnel were CIA employees. Such disclosures indicate we would be safer without hair-raising operations that threaten the world's safety and undermine constitutional democracy.

Heating Up the Cold War

George Meany has at last found an intellectual that he admires: Alexander Solzhenitsyn, in whose honor he hosted a dinner recently in Washington. During the evening Meany and guest did their best to heat up the cold war with intemperate rhetoric and crude polemics. Mary McGrory reports that there was "not a vote in the house for détente." As Solzhenitsyn sees it, all contact between the Western world and the Communist nations is bad. In his view this country should not have recognized the Soviet Union in 1933. He had harsh words about the wartime alliance against the Nazis. He would have fought on in Vietnam and feels that we should not have withdrawn. He made scornful references to a peace settlement that allows North Vietnam to take South Vietnam whenever it wishes—"for this you have the Nobel Peace Prize!" In his contributions to a recently published volume, *From Under the Rubble,* Solzhenitsyn makes it clear that he expects nothing good to come from Soviet-Western détente. Russia must be isolated; it must spend most of its time alone with itself, without neighbors and guests. In his view an authoritarian regime answers more closely the demands of truth and justice than do Western democracies. It is depressing to record that a Nobel laureate should win a standing ovation from a Washington audience for such sentiments. No doubt Solzhenitsyn believes that he loves freedom but dissidents would have a tough time in any regime of which he approved. The trouble with such zealots is that they preach an authoritarianism at sharp variance with their libertarian stance. Those who do not share Solzhenitsyn's Manichean conception of good and evil stand condemned in his eyes as corrupt allies of the devil. He is a man of courage but this fact does not make him a friend of peace or a reliable guide to better relations with the Soviet Union.

Women in the News

A season of dull and generally depressing news was enlivened by the International Women's Year World Conference in Mexico City. The two-week conference, the first on the subject of women's rights, drew delegates from 133 governments, resulted in a unanimously adopted ten-year plan of action and a sententious proclamation of principles labeled the Declaration of Mexico City. There were some miscues and sillinesses—Jihan el-Sadat of Egypt refusing to talk with Leah Rabin of Israel, a denunciation of Zionism in the same context as racism and imperialism, and the fact that 20 per cent of the 1,221 delegates were men, guiding and directing women delegates if not telling them how to vote—but even so the conference probably deserves the inevitable caption "historic" or even, as the head of the thirty-four-member U.S. delegation put it, "very historic." Billed as the world's "largest consciousness-raising session," the conference marks the beginning of a shift in social vision and political activity that could, between now and the next one in 1980, mark major advances toward world peace, social justice and political stability. It may not mark "the beginning of a new world" as Helvi Sipila of Finland, the conference's secretary general, put it, but then again it might.

While the conference was in session, two women captured major headlines in the world press: Indira Gandhi, Prime Minister of India, and Isabel Martinez de Peron, President of Argentina. The activities of both merely emphasized the importance of the conference, for neither was acting in its spirit and both dramatically demonstrated that women are not immune to the attraction of power despotically exercised, which is hardly news. Mrs. Gandhi's authoritarian actions were taken in the name of "internal stability" but were clearly an attempt to protect her own political position. For the time being, she has brought democratic processes in India to a halt. It is a repetition of the same tiresome routine of a corrupt regime, on the defensive, resorting to a crude crackdown in order to stay in power. Mrs. Gandhi's government has shown increasingly corrupt tendencies with payoffs and shakedowns combined with high-handed decision making. Recently she named her youngest son, a fast-living 22-year-old with a declared income of less than $1,000 and experience limited to a year's apprenticeship in a British factory, to head a new concern set up to manufacture "the people's car," the Maruti or "son of the Wind God." As for Isabel Peron, she is an impudent interloper with no legitimate claim to the high office she holds. The actions of both women constitute a depressing counterpoint to the high hopes and fervent rhetoric of the Mexico City conference. In the

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meantime the headline stories about the Prime Minister and President should serve to remind us that women enjoy no immunity from "that natural expression of villainy" which, as Mark Twain said, we all share in varying degrees. And as long as power is informed by that villainy, and women subscribe to the "established" psychology and politics of power, their emergence in top leadership roles will mean no more than sheep in wolves' clothing.

Island Grabbing

Though small in population and size, the fourteen northern Mariana Islands may figure prominently in U.S. foreign policy, beginning in the 1980s. While Pentagon planners lick their chops in anticipation of yet another territory for a major U.S. military presence, the people of the northern Marianas are being carried along toward commonwealth status by a wolf-in-sheep's-clothing process that would do Boss Tweed proud.

Most of the corporate media hailed the recent vote by a majority of the residents of the islands for formal Americanization as a victory for pro-U.S. feelings, but critical analysts there and in this country have seen that what is going on signals something else entirely: the Ford Administration is bent on grabbing military bases in the South Pacific and will ignore the United Nations, the U.S. Congress and our past anti-colonial rhetoric to do so.

The United States has since 1947 administered Micronesia, including the northern Marianas, as a trust territory for the U.N. The trust agreement expires in 1981. Apparently because of its supposed military value, Presidents since Kennedy have been requesting—and receiving—aid money from Congress for the Micronesians in an attempt to enlist their allegiance to the United States. Once it became clear, in the early 1970s, that the leaders of Micronesia were looking forward to true independence in 1981—from the Americans and everyone else—the Nixon administration began promoting a secessionist policy, concentrating its strategy on wooing the northern Marianas into permanent American orbit.

Without consulting Congress, the Ford Administration promised the northern Marianas the equivalent of $1,000 a year in aid for every man, woman and child (a figure George McGovern was eviscerated for in 1972 when he advocated it as a minimum income for Americans) if a majority were to vote to go American. According to Sen. Gary Hart (D., Colo.), real estate and gambling interests mounted a rough, pro-commonwealth-status campaign, castigating those favoring independence or continued union with Micronesia as dishonest and unpatriotic. Being no less greedy or manipulable than anyone else—and, apparently, not having noticed what commonwealth status has done to Puerto Rico—the residents of the northern Marianas voted against their chance for freedom in 1981.

Since the U.N. trusteeship agreements cannot be altered or amended without permission of the Security Council, the United States will eventually have to secure the approval of that body—or it can simply wait until the agreement expires and rely on what will be a virtual *fait accompli*. Whatever the supposed benefits the Pentagon sees in acquisition of the northern Marianas, an inevitable consequence will be further American involvement in the South Pacific. "America will turn a peaceful tropical island into an armed camp poised for military adventure," Stephen C. Murray wrote recently in these pages (see "New Outpost of Empire," April 19). "We shall be told that we have made a 'commitment' to the Marianas that we cannot back out of," warns Senator Hart.

It can be assumed that the well-being of the residents of these islands has not been a prime consideration of American policy. The subject once came up when Walter Hickel was Secretary of the Interior and he quotes Secretary Kissinger as saying: "There are only a few thousand people, who gives a damn?" But by what "divine right" do we divide the islands, ignore the U.N. trusteeship agreement, and act as though Congress merely had to be consulted, as a formality, after the grab had been made? We have grabbed territory before but never with so little protest from the press, public or the Congress. Senator Hart, and his odd ally on this issue, Sen. Harry Byrd of Virginia, are trying, belatedly, to foil the Pentagon's strategy. In doing so they represent the best interests of the residents of the northern Marianas as well as those of the people of the United States.

A Declaration of Common Sense

Sen. George McGovern

1976 is the Bicentennial anniversary of the Declaration of Independence which set the American nation on a revolutionary course toward national independence and personal freedom. For two centuries we have asserted the propositions of human equality, the sanctity of life, the blessings of liberty and the pursuit of happiness. These liberating ideals not only fueled a revolution; they raised standards of national measurement so high that they are not likely to be fully realized. Thus, we live with a continuing, unfinished revolution that challenges each succeeding generation.

The Declaration of Independence and the revolutionary struggle it described represent neither a static document nor a completed historical event. Instead, these dynamic principles comprise a never ending, always changing call to the nation to give direction and purpose to its historical process by applying enduring principles to contemporary conditions. As Woodrow Wilson wrote in 1913: "The Declaration of Independence is of no consequence to us unless we can translate its general terms into examples of the present day. It is not a theory of government, but a program of action. Unless we can translate it into questions of our own day, we are not worthy of it."

Thomas Paine attempted in his day to translate the gospel of liberty into a plea for public action by means of a series of essays entitled *Common Sense*. Paine recognized that his calls for revolutionary change were "not yet sufficiently fashionable to procure them general favor. . . ." Cognizant of the resistance to change of established power and practice, Paine noted that "a long habit of not thinking a thing *wrong* gives it a superficial appearance of being *right*, and raises at first a formidable outcry in defense of

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SUMMER SCHEDULE

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custom. But," he wrote, "the tumult soon subsides. Time makes more converts than reason."

In the 1960s, many frontal assaults were launched in America against practices that contradicted the nation's integrity. The ramparts of racism, prejudice and poverty were assailed on a scale that approached civil war. Simultaneously, millions of Americans were mobilized to oppose a war in Southeast Asia that insulted fundamental precepts of decency and dignity. Those efforts were often clumsily orchestrated and erratically led, but they grew out of America's revolutionary and constitutional ideals and they represent our best hope for a future based on common sense rather than neurotic dreams of power and glory.

It is worth noting that the decade of the 1960s began with a farewell warning by President Eisenhower that the nation was falling into the clutches of an unprecedented "military-industrial complex." That warning has not been heeded by any subsequent President or Congress. Presidents Kennedy and Johnson did, however, seek to advance the *domestic* rights of the American people within the confines of an exhausting, self-defeating, militaristic foreign policy. We must hope that the 1960s have taught us that it is not possible to maintain domestic tranquillity while pursuing a course of interventionism and militarism that dissipates our ideals and resources abroad.

We must also hope that the first half of the 1970s has taught us that politics and foreign policy, when separated from the nation's constitutional principles, can lead only to political and economic despair. If these lessons are now being perceived, perhaps in the spirit of Thomas Paine's memorable call for "common sense" of 1776, it is appropriate to propose "A Declaration of Common Sense" for 1976. What are the propositions such a declaration would include?

First, America's influence in the world is dependent more upon the power of our example as an enlightened, humane democracy than upon the force of our arms. If America is to be a witness for what is worthy and noble in human affairs, we must draw upon the basic economic, political and spiritual sources of national power. Conversely, we must avoid excessive militarism, mindless intervention and clandestine disruption of the affairs of other nations. Never again should American forces be committed abroad without full debate and careful judgment by the Congress of the United States.

A decent respect for the opinions of mankind requires recognition that all human beings on this planet are creatures of equal worth, needing the respect and love of their fellow humans. This, in a sense, is a declaration of *interdependence.* Just as thirteen colonies once pledged together their lives, their fortunes and their sacred honor, we must now realize that life and fortune and honor depend upon the assent and cooperation of people around the world. It is not common sense to organize the world in armed camps and rival commercial blocs. Rather, it is the course of common sense for vast national arsenals and armies to be reduced and coordinated in an international peacekeeping power under the auspices of the United Nations. Peace between Americans and Cubans, Arabs and Israelis, Turks and Greeks, Russians and Chinese depends not upon the size of national arms but upon a recognition of their mutual dependence and the superior claims of international law.

Thus, in 1972 I called upon America to lead the way to a new agenda of peace and public investment by converting excessive military spending to such constructive purposes as efficient public transportation and urban reconstruction. It was my view that this conversion from military overkill to needed public investment could proceed at a rate of $10 billion a year over the course of three years. That is even more strongly my view today. We will create more jobs, with less inflation and with greater service to our people, if we proceed on a common-sense basis to convert the excess in the arsenals of war to the works of peace. A common-sense military budget designed for a foreign policy based on international peacekeeping and interdependence can make us a stronger, more secure and happier nation.

Second, "A Declaration of Common Sense" calls us to recognize that we and our fellow human beings are stewards of the world's finite resources of air, water, land and minerals. Responsible stewardship requires an appreciation not only of the fragile and limited character of resources but of the need to employ their fruits for the benefit of all persons, including those who will follow us in future generations.

There is only a limited supply of energy in the world to fuel our machines and to feed our bodies. Thus, the production, distribution, pricing and management of fuel and food is a matter of primary importance in human affairs. America is uniquely endowed to lead the way toward common-sense international agreements on the wise use of fuel, food and other commodities. Economic warfare, environmental neglect, short-term exploitation and mindless population growth are the great enemies of mankind. None of these enemies can be conquered either by isolated national efforts or by indecision and drift. They can all be resolved if we act from a clear recognition of global interdependence and responsible stewardship.

Third, America must nurture its own great human and physical resources by constructing a new agenda based on wise public investment, fair taxation and a just economic order. We must provide a job opportunity for every citizen who is capable of working, even if this involves substantial public investment in constructive enterprises. For example, the nation needs to rebuild its antiquated rail system and to construct clean, efficient public transit systems in our cities. These projects will probably require public financing and development, but they will provide countless jobs for those who are now idle. For those who are unable to work, we should develop a simple, automatic income insurance policy to replace the existing patchwork of welfare, food stamp and public assistance programs.

The rallying cry of the American Revolution—"No taxation without representation"—must now become "No taxation without justice." Taxation, if properly constructed, is the privilege of a free citizen, who should be taxed according to ability to pay—not on the basis of

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special-interest concessions and unfair shifting of the tax burden.

And if our "free enterprise system" is to be truly free, it must be liberated from the grip of monopoly. The steadily growing concentration of economic power must be reversed by an honest enforcement of our antitrust statutes. Beyond this, workers must be liberated from needless danger to life and limb, or from discrimination based on sex or prejudice in any form.

These are some of the elements I suggest for the consideration of my fellow citizens that might comprise "A Declaration of Common Sense for the Bicentennial."

FEDERAL EDUCATION LOANS

RIPPING OFF THE STUDENTS

JEAN CARPER

Washington

Taking out a federally insured student loan for a private vocational school is a little like buying a vacuum cleaner or a used car—or so David Bayer, former director of the loan program for the U.S. Office of Education, once told me. If the education is a lemon, it's too bad. The student can't get his money back and he must pay off the loan. If he doesn't, the bank which made the loan will pursue him, and if that fails, the loan will be turned over for collection to the Office of Education. O.E. now has about 135 collection agents stationed throughout the country, ready and waiting.

Legally, the federal government has every right to collect these loans. In fact, under the Federal Claims and Collections Act, says Maury Tansey, chief of O.E.'s claims and collection branch, the Office of Education has no choice but to try to collect them. But morally there is a serious question about the federal government collecting loans on which O.E. officials knew or suspected at the time of underwriting were going to schools that offered substandard education, engaged in deceptive practices and were financially unstable. Mary Gardiner Jones, former commissioner of the Federal Trade Commission, has said of commercial lenders who make bad loans and then collect on them: "It may be legally right, but is it morally right?" The same question applies to the Office of Education.

It was no secret to public officials that many of these loans were for vocational schools that were unsound. Yet O.E. carried the schools on its list of institutions approved for loans. And in the end only the students are left to suffer. The schools get their money from the banks making the loans. The banks get their money back either from the students or from O.E., which is obligated to pay off defaulted student loans. Now, O.E. is going after the students to get its money back—for education that in many cases was worthless. O.E., since the inception of the guaranteed student loan program in 1965, has paid off $161 million in claims against defaulting students, most of them proprietary school students. O.E. now has 250,000 accounts up for collection and is taking in $500,000 a month under a new, stepped-up collection program.

There is no "forgiveness" of the loans, according to Tansey. The students must pay—even though their education did not suit them for employment, they dropped out and couldn't get tuition refunds, or their school collapsed in midterm. O.E.'s position is set out in a letter sent to a student whose business school died halfway through his education: "In insuring the loan of private funds by a lender to a student borrower, the government cannot and does not guarantee that the school chosen and contracted with by the student will perform fully on its contract or other agreement with the student. Nor does it guarantee that the school will stay in business or that a student will gain the full benefits of the course or courses for which enrolled."

O.E., in other words, disclaims any responsibility for the student's plight. However, there is much evidence that O.E. has been seriously negligent in insuring these loans. In fact, if it were a commercial lender, a court case could be made that its prior knowledge was so great in many instances that the loan obligation should be broken. Increasingly, courts are holding that a commercial lender cannot hide behind legal pretense of innocence or ignorance when in fact it did know, or even *should* have known, that the loans it made were unsound or tainted with fraud. One judge has called the "holder-in-due-course" doctrine behind which lenders try to hide, a "mask for fraud."

Since O.E. is not a commercial lender, it is immune to such legal niceties. Still there is a parallel between O.E. and the buyers of faulty commercial paper. O.E. officials, like some of their private lender counterparts, had to be nearly deaf, dumb and blind not to know that the loans for vocational schools they were insuring were questionable. There is plenty of evidence that: deception in recruiting was prevalent; educational quality was often substandard; students dropped out at appalling rates; many schools refused to give dropouts legitimate refunds for unused tuition; some schools were financially unstable; students who were graduated couldn't get jobs because their schooling didn't qualify them or few such jobs existed.

The evidence comes from student complaints to O.E., from O.E.'s own investigators and from the Federal Trade Commission. The FTC, now winding up nationwide hearings to establish the need for new rules to regulate private vocational schools, has compiled an impressive

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record of student exploitation. In Boston, New York and California, the FTC has used, or plans to use, as witnesses students who are now O.E.'s collection targets. But O.E. is so ashamed of its complicity that, before releasing the lists of defaulted students to the FTC, its officials insisted the FTC not identify the students as O.E.-insured loan recipients, or use the names in any way that would embarrass O.E. Perhaps these officials felt the irony in using O.E.'s information to try to clean up a national scandal that has long been subsidized by O.E.

The FTC has consistently investigated and issued complaints and cease-and-desist orders against the same schools that were receiving federally insured loan money. FTC officials tell me they now have five of the largest correspondence schools and about twenty large residential schools under private investigation for possible deceptive practices. Most of these schools are in O.E.'s federally insured student loan (FISL) program.

A 1972 confidential report from the FTC's Kansas City regional office revealed widespread waste and misconduct among vocational schools receiving FISL funds. For example, the Technical Education Corporation, doing business in seventeen states, enrolled 4,936 persons in 1971 and graduated only 250. Weaver Airline Personnel School in Kansas City, according to the FTC report, in 1971 enrolled 15,000 students, graduated 2,000, and of those only 102 could get jobs connected with the airlines. At the time, the school was under an FTC assurance of voluntary compliance for deceptive practices. Yet it was heavily subsidized by guaranteed student loans, and the following year O.E. still approved nearly $200,000 in student loans for Weaver.

At the time of the FTC's report, Atlantic Schools, a correspondence school based in Kansas City, was under a 1964 consent order to stop deceptive practices and was being sued by the Justice Department for $90,000 in civil penalties for violation of the order. Nevertheless, it remained in O.E.'s good graces and was not removed from the eligible list until June 1974—and then only because the school closed. Control Data, Inc., a giant data-processing school charged by the FTC in 1973 with an assortment of misleading practices, has over the years received about $40 million in federally insured student loans. Career Academy, also charged in 1973 by the FTC with "misrepresentation of the nature and quality of training, availability of placement, jobs in the field and qualifications required for admission," received $4.3 million in federally insured loan money.

The truth is that the schools, with their fast-talking salesmen, were reaping a federal bonanza and leaving innocent students to pick up the bill.

Some cases from O.E.'s own files show that the agency continued to approve student loans long after it had reason to suspect something was amiss at the school.

—Durham Business College, Corpus Christi, Tex. In mid-1972 investigators from O.E.'s Dallas regional office became concerned that the school wasn't making timely refunds. A list dated August 1972 showed that some students didn't receive bona-fide refunds until ten months after they had dropped out. O.E. warned the school and a letter in the files suggests temporarily halting loans to the school until the problem was cleaned up. Refund failure is a serious matter because students who cannot get legitimate refunds may be forced to default on student loans, and it indicates the school may be financially shaky. But O.E. took no action until the fall of 1973 when student complaints mounted and an instructor at the school wrote O.E. charging misrepresentations, shoddy teaching and other abuses against the school. Noting that "we have developed somewhat of an uneasy feeling about the proper operation of this school," O.E. then asked the private agency accrediting the school to investigate. In February 1974—two and a half years after the original concern—the school was scratched from O.E.'s eligible-for-loans list.

—International Business Academy, Oklahoma City, Okla. That this school, which purported to teach by mail a variety of skills—including writing, auditing, court reporting and motel management—was a known scandal in O.E.'s Dallas office, is evident in memos from Leo Hatten, then Dallas' insured loans officer. Hatten discovered that the school's salesmen were signing up "anybody they could find" in low-income housing areas—people without money or jobs, on welfare, with no qualifications for study or promise of employment—and then selling the loan notes to banks which accepted them blindly, counting on Uncle Sam to bail them out if the notes bounced. Hatten also suspected some shenanigans, perhaps kickbacks, to one or more of the banks. He found that high school flunk-outs who could barely read or write were being signed up to train as executive secretaries and court reporters. He concluded that the loans were "very high risk," and Dallas did put a "hold" on approval of the loans in May 1972—after the school had made off with $135,000 in loan money.

—Western Technical College, Denver, Colo. Students at this residential trade school were caught in a behind-the-scenes struggle by the Small Business Administration to keep the school alive with the help of O.E. A series of letters from SBA to O.E., beginning March 2, 1970, suggests the SBA would hold off foreclosure on Western Tech if O.E. continued to shore up the school with FISL loans. SBA officials called O.E. support "critical," and it appears that O.E. went along despite grave concerns. According to a memo in November 1970, O.E. knew the school was using current student loan money to pay off SBA installments and had spent more than $45,000 student-refund money for operating expenses. The memo also notes Western Tech officials were illegally trying to sell student loan applications to pay off expenses; that the state licensing bureau, considering the school "technically bankrupt," had only provisionally renewed its license, and that the faculty was in open revolt because it hadn't been paid for six weeks. Finally in March 1971, the SBA did foreclose, precipitating the school's collapse. About 1,300 students with federally insured loans had their education abruptly terminated, and O.E. subsequently paid off $693,970 in default claims.

Regardless of O.E.'s suspicions, knowledge or inaction, students at these and other proprietary schools must pay back their federally insured loans. The loans were for a maximum of $1,500 (the maximum is now $2,500) plus 7 per cent annual interest. Many who at-

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tended the schools, their dreams shattered, are now unemployed or on welfare, and their debt may drag on for years. It's O.E.'s policy to try to collect at least $30 a month, but according to Gene Kelly, Jr., collections manager for O.E.'s New York regional office, it accepts as little as $3 to $5 a month—"anything to keep the person paying." Letters to O.E. show that many are bitter and hopeless, worse off both economically and emotionally than they were before they accepted Uncle Sam's invitation to sign up for an insured student loan.

The situation is intolerable. Buying a vocational school education underwritten by the government should not entail the same risks as buying a used car. Especially because even if the student can *prove* he was cheated, he still can't get out of the loan because it has been passed on to the federal government which is in a unique position to collect it. Similar injustices perpetrated by finance companies and banks are condemned by consumer advocates, among them Sen. Warren G. Magnuson who controls O.E.'s purse strings as chairman of the Labor and Health, Education and Welfare Appropriations Subcommittee. Surely, a federal agency should be held to even higher standards.

The only equitable solution is to wipe out these debts owed by students cheated by vocational schools. In this respect the FTC has set a precedent. It now requires that, before it will accept a consent order from vocational schools charged with deceptive practices, the school must agree to return tuition money to students who couldn't get appropriate jobs. For example, in February the FTC got a consent order against Weaver Airline Personnel School for numerous misleading practices. As part of that order the school agreed to refund at least $249,000 to students who left school between January 1, 1972 and February 1975 and were not able to get jobs with the airlines.

Granted, it is not the same thing to put the financial burden on the taxpayer through O.E. The amount of debt to be canceled would be upward of $1 billion—possibly more. And it would take an act of Congress. But justice demands it. The federal government, no matter what its legal rights, should not operate at the level of a sleazy finance company or ruthless inner-city collection agency, oppressing unsophisticated, helpless people caught in unjust debts. Even if O.E. cannot be held accountable in a court of law, it should be held accountable in a court of national conscience. And Congress, which established and finances the student loan program, should see to it. □

WAITING FOR HARRY

FOREIGN POLICY IN IV ACTS

LLOYD C. GARDNER

ACT I

Things have come unstuck. And it will take a lot more than the stirring victory in May over the Cambodian Navy to put them back together again. Gerald Ford's admirers are busy for the moment proclaiming the *Mayagüez* affair a major turning point; Henry Kissinger awards the President "high marks" for his performance at a subsequent NATO meeting. Once again an American President has stood up to the Communists, has drawn the line between the free world and . . . and . . . and what? That's the trouble today. Who really believes that the problems Ford now faces are likely to disappear with a whiff of grapeshot or can be defined in cold-war terms? It's too late for that—about ten years and $150 billion too late.

Most policy makers concede that Vietnam was a terrible mistake, but they disagree about why—and about what they should have learned from it. Administration spokesmen complain about an isolationist-minded Congress, while the President himself invites a comparison of his situation with what confronted Harry Truman at the beginning of the cold war. The Truman Presidency is an obvious model for anyone who came into office the way Gerald Ford did, and who hopes for (re)-election the way Gerald Ford does. But his frequent invocation of Truman's spirit probably betrays something more than a simple desire to cast himself in the role of an unknown legislator from the Midwest who succeeded to the Presidency under dramatic circumstances and became a great national leader.

Ford's political ambitions aside, the current Truman vogue suggests both a general yearning for bygone days when issues seemed simpler and a deep ambivalence about the present. For example, Secretary Kissinger hedges when asked directly if the United States should have stayed out of Vietnam. "No, but we perhaps might have perceived it more in Vietnamese terms rather than as the outward thrust of a global conspiracy." What's a cold war without a global conspiracy!

Time celebrates the liberation of the *Mayagüez* as if Henry Luce still lived, but Editor in Chief Hedley Donovan acknowledges the general confusion about larger issues: "Détente . . . creates a general philosophical vacuum in American foreign policy. We no longer have any overarching world crisis that tells us how to classify and react to each particular situation. We miss the black and white days of the cold war. Détente is preferable, but it has a price."

Détente made America's Vietnamese policy obsolete. "An insuperable logical difficulty arose," says Donovan, "when our government in 1971-72 began treating Russia and China as trustworthy people to negotiate with, while at the same time insisting that the little Communist state of North Vietnam was still a grave threat to world order. We could not have it both ways. . . ." One cannot upset Dono-

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van's reasoning, but where does that leave Ford? The President's dilemma is that America *must* have it both ways in the post-cold-war era, and he needs something like a Truman Doctrine to hold things together.

"Let me tell you something," said Richard Nixon in 1971. Ford's predecessor and sponsor had discovered the great pragmatist, William James, and he wanted to tell everyone about the problem of a moral equivalent for war. "Let me tell you something: it matters very much for America to continue to be the leader of the world and to be number one." To meet the "challenge of peace," as Nixon reformulated James's famous puzzler, he invented his "doctrine." A cost-conscious policy, the Nixon doctrine assumed the existence of a common Russo-American stake in maintaining the *status quo*.

Actually, Nixon was only following the example of *his* predecessor in arriving at this conclusion—the Johnson administration's remonstrances about the 1968 suppression of independent socialism in Czechoslovakia were the mildest in cold-war history. Moreover, State Department spokesmen openly talked to newsmen about the Soviet sphere of influence, a phrase hitherto banned. At the same time Dean Rusk still unblinkingly insisted on the Munich analogy in discussions of Southeast Asia. Nixon's "secret plan" for ending the war in Vietnam addressed itself to that anomaly. It was not really a secret either, having been announced in *Foreign Affairs* for October 1967. Writing then about "Asia After Vietnam," Nixon declared: "We simply cannot afford to leave China forever outside the family of nations, there to nurture its fantasies, cherish its hates and threaten its neighbors."

No Democrat could have made that journey to Peking. The opening to China gave Henry Kissinger the chance to play Metternich, and to substitute a new analogy and model for the discarded cold-war paradigm. Finding the right paradigm to replace the evaporating cold-war simplicities was no easy matter. Despite his reputation for secretiveness, Kissinger was quite candid on this point. "Our problem," he recently told an interviewer for *L'Express*, "was how to orient America in this world and how to do it in such a way that we could avoid these oscillations between excessive moralism and excessive pragmatism, with excessive concern with power and total rejection of power, which have been fairly characteristic of American policy."

Complicating the problem, said the Secretary, "all of this has happened at a time when the Establishment that carried our foreign policy has been both disintegrated and demoralized." In his view Watergate is the real villain—not because of what it revealed about the abuse of power but because it has had "an enormously debilitating impact on our executive authority."

> This in turn triggered a series of actions by the Congress which in a number of cases such as Turkey and Indochina have accelerated our difficulties and encouraged pressure groups of all kinds to influence foreign policy. . . .
>
> So, we face now a problem that, while the design of our foreign policy is intact, the authority to implement it may be impaired.

What is Ford's role to be in the rehabilitation and reintegration of the Establishment? He must pick up the pieces and press forward. "Sixty-two per cent of the public voted for a strong foreign policy and moderate conservatism and, in a way, were disenfranchised because of the series of events over which they had absolutely no control, which were totally unforeseeable, and which produced the collapse of the Nixon Presidency." Kissinger's insistence (blithe or brazen, depending upon one's point of view) in seeing Watergate as cause rather than effect, and his questionable interpretation of the 1972 foreign policy mandate, may not be of much help to Ford as he continues the search for a substantive philosophy that will appeal to the public and win the support of the Establishment.

ACT II

If President Ford is to succeed he must convince Congress that America really is an empire and has the political obligations thereof, but that these can be managed without another Vietnam. He must persuade doubters that the President (whoever he may be) can be trusted. More than that, he must satisfy conservatives that détente is not only advantageous but unavoidable, and liberals that interventionism is not only essential but moral. His best bet will be to suggest (but only suggest) similarities between the international situation before World War I and today's problems. That story had an unhappy ending—but so did the Munich analogy.

Its handling of the *Mayagüez* story demonstrates the Administration's inclination in this direction. Reporters were advised that China was kept informed of American actions and asked to intervene with the Cambodians. Peking's reaction, it was said, reflected China's desire to see the United States remain a Pacific power as a counterweight to Russia. Ford's response to press conference questions offers even better examples of the emerging world view and the President's style of handling its development.

In response to a question about Chinese and Russian bad faith in supplying Hanoi with $1.5 billion of military aid, Ford told a gathering of newspaper editors on May 5 that "none of the signatories of the Paris accords have sought to enforce the violations [*sic*: provisions] of those accords, including, of course, the People's Republic of China and the Soviet Union." That is an intriguing statement. Did the President really mean to say that Russia and China were co-signers of the Vietnamese truce? If not, what was on his mind?

Apparently, Ford wanted the editors to know precisely what was on his mind: "In the agreement . . . the United States . . . agreed to supply replacement war material, to give economic aid. The Soviet Union and the People's Republic of China, I assume, made the same commitment to North Vietnam." He found no fault with these actions. What upset him was Congress' failure to allow the American side of the bargain to be carried out. "But I don't think we can blame the Soviet Union and the People's Republic of China in this case. If we had done with our ally what we promised, I think this whole tragedy could have been eliminated."

The notion that individual Communist states do as they please with military aid from Moscow or Peking, the recognition that big powers do not always control client states, are both remarkable departures from a cold-war imagery which had persisted even after the simplicities evaporated.

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One would even say, a daring departure; but there was more. Discussing CIA involvement in Chile, Ford reached a pinnacle of tough-minded realism in response to this question:

> Under what international law do we have a right to attempt to destabilize the constitutionally elected government of another country, and does the Soviet Union have a similar right to try to destabilize the government of Canada, for example, or the United States?
>
> *President Ford:* I am not going to pass judgment on whether it is permitted or authorized under international law. It is a recognized fact that, historically as well as presently, such actions are taken in the best interest of the countries involved.

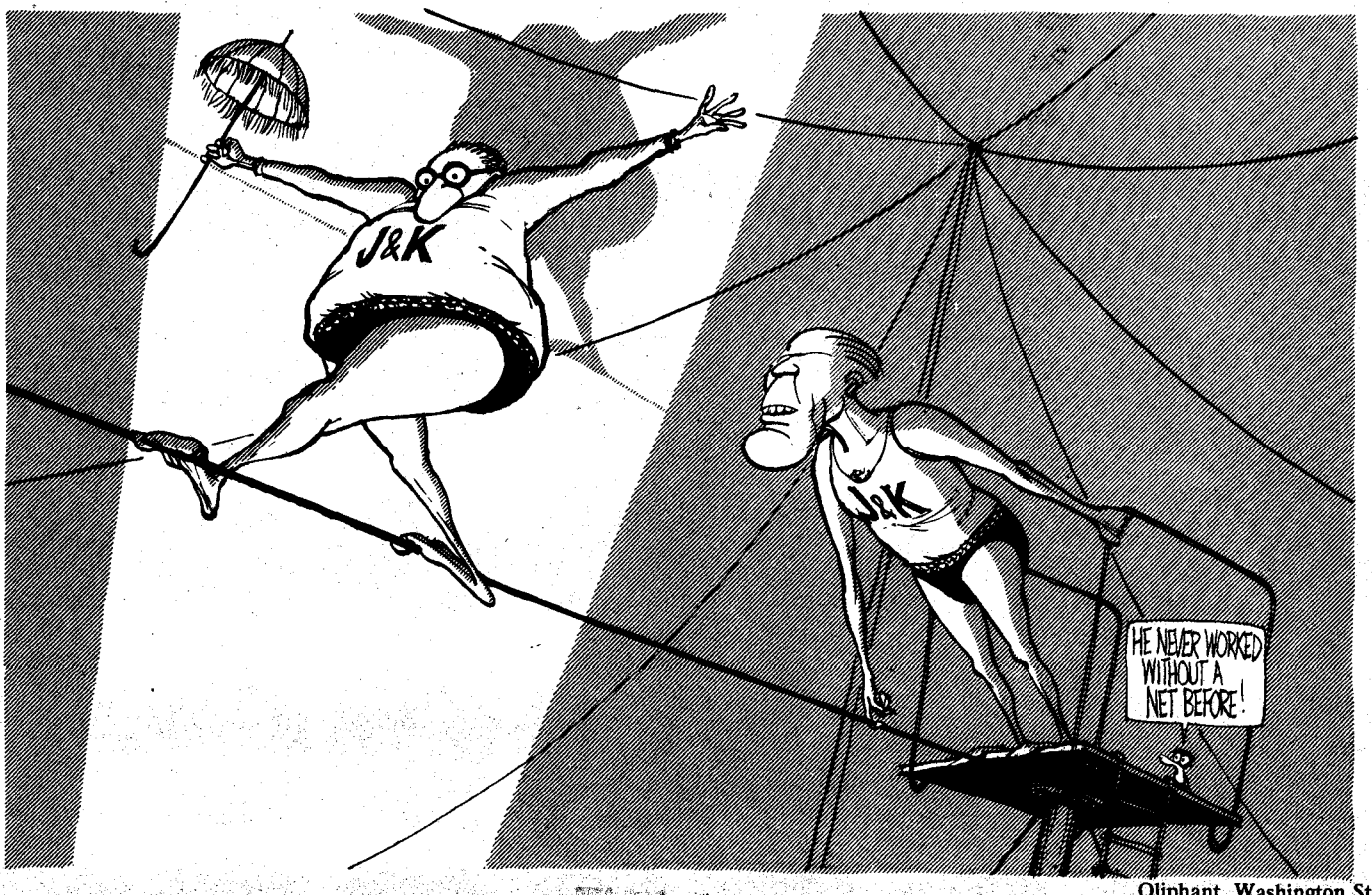
No blanket denials, no pious denunciations of Communist subversion: just a plain statement of facts. It can be argued of course that, given the public's knowledge of CIA involvement, there was no other course to take. Why not make the best of realism? Grant that point; it leaves unexplained the positive goals of the Ford-Kissinger philosophy. To see the whole picture one needs to stand back a bit.

ACT III

The October war and the Arab oil embargo came at the right time. Well, not for everybody, but consider what was accomplished toward a new vision of American foreign policy. The war might have been staged by Rand or the Hudson Institute, so perfectly did it fit into a post-cold-war scenario. You could almost visualize Herman Kahn rushing back and forth between Tel Aviv and Cairo, making sure that every detail was just right. Local hatreds, big-power involvement, strategic resources: all were there; and the danger was too real to accuse the Administration of trying to divert attention from Watergate.

Unlike something plotted on a game board with the aid of computers, the ending does not wipe the slate clean so that the players can start all over, but for American diplomats that is not necessarily a bad thing. From Washington's point of view, the October war has made it easier to undertake a long-overdue reassessment of Middle Eastern policy (Egyptian-American relations are already almost back to normal), to point out to the American public that the nation's requirements for raw materials must play a more dominant role in the future as compared to ideological considerations and, finally, to illustrate the point that, while the United States and the Soviet Union remain competitors, they have certain interests in common which go beyond crisis management (the legacy of Cuba) to other areas.

Thus Ford, as did Nixon, deplores Congressional intervention in Soviet-American trade questions. Except that Ford has the high cost of oil to add to the argument that the United States cannot sit back and watch its competitors take over the Soviet and Chinese markets. In a speech to the American Conference on Trade on December 3, 1974, Ford sounded like William McKinley delivering a *tour d'horizon* of the prospects opening before American capitalists in China. "In 1973, the United States achieved a trade surplus of more than $1 billion from the Soviet Union. Another $900 million surplus came from other Communist countries around the world. Trade with these



Oliphant, Washington Star

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nations was, therefore, a very crucial factor in our overall trade surplus of $1.3 billion in 1973."

The Soviets, Ford warned his audience, would not deal with America unless Congress eliminated trade discriminations and authorized credits on a large scale.

> Let's be very clear about this. Our competitive trading partners of Western Europe and Japan are issuing credits to Communist countries with which they are now trading. Their record shows that the Soviet credit is good.

Hopes for expanded trade with the Communist countries were not, and are not, the motivating factor in bringing about an end to the cold war. However, the general deterioration of America's economic position in the world did play a part in bringing home to policy makers the general wastefulness (including what was being lost by not trading with the Communists) of the cold war. Of course this thesis presumes a degree of rationality in American policy that is not always accepted by historians—especially not by liberal historians who in recent years have been put on the defensive by "revisionist" histories of the cold war.

Arthur Schlesinger, sometime Presidential adviser in the Kennedy-Johnson years, has concluded from his own experiences that "stupidity is a more helpful factor in interpreting our policy than conspiracy." Nevertheless, he testified before the Senate Foreign Relations Committee in 1972 that "there is little more shaming than President Nixon's directive in January that we should not only suspend all aid to Latin American countries that nationalize American-owned firms without adequate compensation but that we should try to prevent international agencies . . . from making loans to those countries. This sets up the U.S. Government as a collection agent for U.S. business."

According to this reasoning, Republicans are capable of conspiracy for profit, while Democrats are only stupid. There may be solid ground for both beliefs. In retrospect, Vietnam certainly seems stupid *and* conspiratorial; but we should not lose sight of a point made by Sen. Mike Mansfield back in 1971: the United States has "assumed much of the cost of the liquidation of the 19th-century European colonial system." Mansfield also saw the double irony here. European governments were perfectly happy to let America pay this price, while they increasingly profited from trade with the Communist countries. The American collective security empire had, in effect, replaced the 19th-century European colonial system. The second, more painful, irony is that American expansion since 1898 had been conceived and carried out in the name of anti-colonialism, though to Europeans (by tradition more cynical) it simply seemed to be economic advantage without political responsibility. Since World War II that has been reversed: increasingly, and Vietnam became the worst example, Americans see themselves picking up political responsibility without economic advantage.

For some this recognition was no more than making a virtue out of necessity, but to others it represented an opportunity. "It is a time when a man who knows the world will be able to forge a whole new set of alliances," Nixon told Garry Wills before the election of 1968, "with America taking the lead in solving the big problems. We are now in a position to give the world all the good things that Britain offered in its Empire without any of the disadvantages of 19th-century colonialism."

ACT IV

Russian and Chinese participation in this new set of alliances may be an oddity of history, or a concept as difficult to conceive as anti-matter in the universe. The possibility exists solely because of what used to be called the Sino-Soviet split, today considered "one of the momentous facts of world politics." Certainly Russian desire for Western technology is important, but it does not determine the structure or nature of international relations.

Putting it all together: the United States can count on aid (or at least noninterference) from the Soviet Union and China in its attempts to maintain the structure of peace (a favorite Nixon term) in the Third World, not because either country has ceased its subversive activities but because Russia has no desire to see Chinese satellites spread around the world and vice versa. This situation is unstable and may change, but for the moment it works to America's advantage. Meanwhile, Washington's problems are no longer confined to counterrevolution in the cold-war sense. Nationalisms of both Right and Left—and Center—have replaced communism and given rise to a new complex of issues centered upon control of the world's resources. It is true that capitalist (in this sense a synonym for American) responses to these issues may drive all nationalists into a leftist corner, but OPEC demonstrates that that is not yet a certainty.

On December 12, 1974, the United States voted against a resolution co-sponsored by ninety developing countries which endorsed a Charter of Economic Rights and Duties of States. In explaining his vote, Sen. Charles Percy, U.S. representative to the U.N. General Assembly, stated that several provisions, as they stood, were unacceptable to his country:

> To cite a few: the treatment of foreign investment in terms which do not fully take into account respect for agreements and international obligations, and the endorsement of concepts of producer cartels and indexation of prices. As a result . . . we have before us a draft charter which is unbalanced and which fails to achieve the purpose of encouraging harmonious economic relations and needed development. Moreover, the provisions of the charter would discourage rather than encourage the capital flow which is vital for development.

Since the time when this vote was taken Kissinger has, in fact, offered to talk about producer cartels and indexed prices, but the terms and ground rules of these discussions remain unclear. Though, as Schlesinger argues, the Pentagon Papers contain few references to "any kind of economic interest in the Third World that would have led us into Vietnam," Senator Percy's explanation of the American vote on the Charter of Economic Rights and Duties would certainly suggest that the U.S. Government is more than casually interested in matters pertaining to "harmonious economic relations" with and in the Third World.

Appearing before the Senate Foreign Relations Committee in March 1974, Assistant Secretary of State Robert Ingersoll (who had been "a chief executive officer of a major business firm" before coming into government) gave a new twist to old arguments for remaining in SEATO. "The pact has a residual role to play in preserving the equilibrium as Southeast Asia moves to a still undetermined future by restraining USSR-PRC rivalry. . . ." Equally

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fascinating was the following exchange with Sen. Clifford Case:

> People will argue . . . there is no dignity in South Vietnam. That Thieu has got just the same dictatorial power as the North. Now, that isn't true, but is that lack of efficiency only on the part of the Southern leadership?
>
> *Mr. Ingersoll*: No, I think he has deliberately chosen, at least from the standpoint of economics, a free-market system rather than a completely controlled system.
>
> *Senator Case*: For a few people to get rich and put the money in Switzerland?
>
> *Mr. Ingersoll*: No, I don't think so.
>
> *Senator Case*: Tell me.

Ingersoll did, explaining that "out in the country" were people who much preferred life under President Thieu "than what they would have under the regimented society just across the border." Internal ITT documents subpoenaed by Congress in the aftermath of Allende's overthrow make the same point. The successful entrenchment of a "Communist" government in South America would have serious repercussions throughout the hemisphere. In a memorandum to National Security Adviser Henry Kissinger, an ITT vice president put it this way: "The free world was shocked and private foreign enterprise, already reeling from damaging treatment in Peru, Ecuador and Bolivia, was left groping for means of protecting its investments."

The interesting thing about that statement, of course, is that the other three countries mentioned did not have "an avowed Marxist" leading them. If the Pentagon Papers do not reek with material for economic determinists, the ITT "Papers" on Chile do not exactly support the notion that fear of Russia is a major factor in our policy toward the Third World. Kissinger's recent reformulation of the domino thesis fits not only Vietnam and Indochina but Chile and Portugal as well. "There is," he told Barbara Walters a few weeks ago, "in almost every major event a domino effect." Three factors produce this effect: a change in the balance of forces, "the perception of other countries" and "the general psychological climate that is created in the world as to who is advancing and who is withdrawing." Defense Secretary James Schlesinger can talk about the pattern of Soviet military spending over recent years, and the State Department can view with alarm the dangerous trend toward "Finlandization" in Europe, but the wait for Harry goes on. Maybe it's time to give up on him and find something else to fill the philosophical vacuum; maybe it's time to face *what* it is we are afraid of in the domino thesis. □

THE BASQUE PROBLEM

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PAUL PRESTON

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Most of the media coverage of ETA, the Basque revolutionary separatist organization, gives the impression that it is a spectacular, but nevertheless minority, terrorist movement. However, the size of the present operations being carried out against it suggests that ETA enjoys rather more grass-roots support than has hitherto been recognized. In part, the fact that an action so repressive is taking place at the time when the Franco regime is mounting a campaign of pseudo-liberalization merely illustrates one of the basic facts about opposition in Spain: toleration is always inversely proportionate to the effectiveness of a given group as a threat to the regime.

Accordingly, it is hardly surprising that massive reprisals should be taken against the military activists of ETA. Over the last six years, ETA has struck a series of blows against the Spanish security apparatus, of which the assassination of Premier Carrero Blanco in December 1973 was the most widely publicized. With opposition to the regime more solid than ever before, support growing for the Communist-inspired Junta Democratica and the Socialist Party enjoying a major clandestine revival, the regime is understandably eager to crush ETA.

This should be no more than a routine military and police operation, if ETA is made up of isolated terrorists as Falangist sources would have us believe. And indeed, over the last couple of years, operations against ETA have taken the form of direct military confrontations, mainly between large contingents of civil guards and small ETA "commandos." Casualties have been high on both sides and it would appear to be a war to the death. ETA sources claim that the government has decided it will face no more Burgos trials (in 1970, a trial of ETA militants held in Burgos did more to focus world attention on Basque aspirations than to condemn ETA terrorism). Hence, fewer prisoners are being taken and it seems to have been hoped that ETA militants could be eliminated one by one.

If the size of the present repressive operations shows anything, it is that direct military confrontation has been insufficient to destroy ETA. Not only have wider powers of arrest and interrogation been decreed in the Basque provinces of Guipuzcoa and Vizcaya, and applied with indiscriminate severity but a campaign of counter-terror has been unleashed. With official acquiescence, extreme rightist action squads have carried out bombings and machine-gun attacks on the homes of prominent Basque nationalists. The only conclusion to be drawn is that the regime believes that ETA will disappear only when thousands of ordinary Basques are terrorized out of giving refuge to ETA activists.

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It is difficult, for obvious reasons, to give exact figures of the support for ETA. Nevertheless, it may be safely assumed to be widespread, given the ease with which the commandos, after their actions, evade the blanket security sweeps mounted by the civil guard. It is remarkable how freely the ETA carries on its running battle with the state's repressive apparatus, making punitive attacks on alleged torturers, blowing up radio stations, kidnapping recalcitrant industrialists, etc. These actions could not be carried out without the positive support of ordinary householders and members of the clergy, who spontaneously provide refuge in their homes and churches.

The growth of support for ETA is largely the result of a major drive on the part of the activists to link their armed struggle with the everyday aspirations of the Basque worker. This began in November 1971 with the kidnapping of Lorenzo Zabala, an industrialist who was refusing a pay raise to the workers in one of his companies. The raise was made one of the conditions of his release. This Robin Hood-style action backed up the ETA assertion that its military front was a support and a complement to the mass struggle of the workers. In April 1972, ETA overcame internal debates as to whether it should be a purely Basque nationalist group or aspire to be the revolutionary vanguard for the whole of Spain. ETA was then defined as a Basque revolutionary Socialist organization of national liberation. Having thereby implied a colonial relationship with the rest of Spain, ETA put definition into practice via a series of actions designed to show its identification with the Basque working class. To the usual activities of stealing explosives, money, duplicating equipment, etc., and attacks on members of the security forces, were added attacks on various local headquarters of the Falangist corporative union system, the vertical syndicates that are rejected by the majority of Spanish workers. At the same time, notorious meeting places of the wealthy oligarchy, yacht clubs and casinos, were also blown up.

Again it is impossible to state the exact relationship between these activities and the growth of popular support for ETA. What is not in doubt is the extent to which the exploits are received as morale boosters by many Basques. In January 1973, another industrialist, Felix Huarte, was kidnapped as support for workers on strike in one of his several companies. It could hardly have been improved upon as a propaganda exercise, since it is almost impossible to walk the streets of any major Spanish town without seeing the name of Huarte emblazoned on a construction site. As in the case of Zabala, the desired wage raises were conceded.

Of course, ETA activities are not received with universal applause on the Left. Some militants of the workers' commissions, the clandestine free unions, would prefer to build up worker strength by developing mass solidarity rather than by violence. The Communist Party, committed to a policy of "national reconciliation," has shelved the class struggle and seeks alliance with "dynamic sectors of Spanish capitalism." Hence, the Communist underground press shows some hostility to ETA.

Nevertheless, a potent indication of the strength of Basque feeling, of the growing links between nationalist sentiment and working-class discontent and of the ETA role in keeping the connection alive, was the immense strike movement of December 1974. Almost entirely political in motivation, it was set off toward the end of November by hunger strikes among Spanish political prisoners, many of whom are Basque. This was followed by an ETA call for a show of solidarity by Basque workers. *Le Monde* and ETA sources claimed that 200,000 came out on strike, although it is impossible to say whether or not as a direct response to the ETA appeal. The Spanish press put the figure somewhat lower, but in any case it was the largest political strike in Spain since the Civil War.

That being the case, the Basque problem is now clearly beyond the solution of rounding up individual ETA militants or even of gun battles between the civil guard and the commandos. Therefore a different tactic is now being used, one which has not been employed on this scale since the 1940s. Ever since the destruction of Guernica, the Franco regime has regularly communicated with the Basque people through the medium of violence, but not since the Civil War and its immediate aftermath, when the newly victorious Fascist regime was being imposed upon a hostile population, has such indiscriminate terror been unleashed as that which the Spanish Government now appears to be permitting behind the façade of the present state of emergency.

Random arrests, imprisonment and torture by a virtual army of occupation made up of armed police are seemingly not enough to deal with the threat posed by Basque nationalism to the Madrid regime. It is a symptom both of the regime's unease at a time of transition and of the strength of popular sympathy for ETA that the allegedly uncontrollable activities of the ultra-Right Guerrilleros de Cristo Rey have been given free rein.

Made up of extreme rightists, Falangist Civil War veterans, unemployed thugs and off-duty policemen, the *guerrilleros* have been used over the last few years to attack liberals when open official action against them might cause embarrassment for the regime. They are well known in Madrid and Barcelona for their attempts to intimidate the Left by attacks on bookshops and art galleries, and on individual lawyers and priests, but they have never before undertaken operations on the scale of their present sorties into the Basque country. Raids, not unlike those of the Brazilian death squads, are being carried out on known Basque nationalists both in Euzkadi and in the French Basque country.

In part, this simply represents a reply in kind to the deadly blows struck at the regime and its security forces by ETA. Nevertheless, it seems paradoxical that a regime which makes its stand on its ability to maintain order should be permitting the escalation of terror in one of its regions. Obviously, there is an attraction for the regime in having its enemies crushed and a potentially hostile population cowed without having to respond to international opinion. However, present developments owe as much to the inadequacy of military methods in the battle against ETA as to the fanaticism of the *guerrilleros*.

An indication of what is really happening is provided by recalling similar experiences in the history of the Franco regime. It is often forgotten that Franco established his power not only at the cost of a bloody Civil War but also

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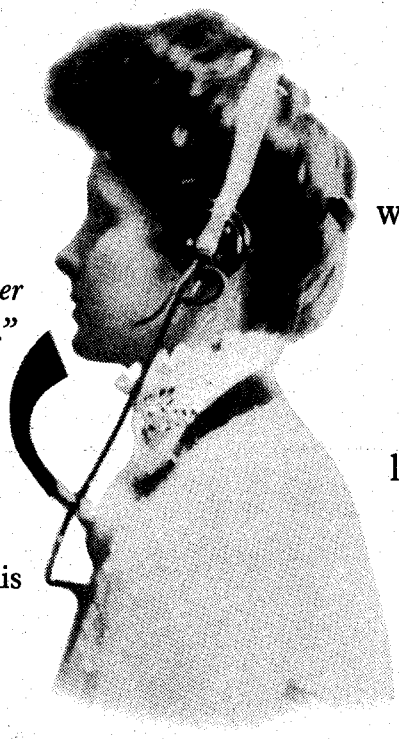
How there came to be only one telephone company in town.



"Number please."

"In many cities of the United States, and in rural communities as well, there are dual and competing telephone systems, doing both local and long-distance business...Patrons of these telephone systems are put to endless annoyance and increased expense. In order to reach all the people using telephones, the telephone patron finds he must install two telephones in his house and office...Double systems of cables, wires and conduits burden the streets and highways."

—Report of the House of Representatives Committee on Interstate and Foreign Commerce, 67th Congress (1921)

When Alexander Graham Bell's telephone patents expired in 1893 and 1894, new telephone companies sprang up almost overnight. The accepted way of organizing communications was to have the "dual and competing telephone systems" cited in the Congressional report.

"Call us. We're on the Bell," was a frequent invitation in those days, to friends or customers. Central, the voice of "Number, please?", spent a lot of time explaining to customers that the number wanted was on the town's other telephone system. And each month there were two telephone bills to pay.

A solution to the problem had been worked out long before by John Stuart Mill. In 1847 Mill had studied the situation of two other new industries that supplied water and gas through pipes to the homes and businesses of London:

"It is obvious, for example, how great an economy of labour would be obtained if London were supplied by a single gas or water company instead of the existing plurality. While there are even as many as two, this implies double establishments of all sorts, when only one, with a small increase, could probably perform the whole operation equally well; double sets of machinery and works, when the whole of the gas and water required could generally be produced by one set only; even double sets of pipes, if the companies did not prevent this needless expense by agreeing upon a division of the territory. Were there only one establishment, it could make lower charges, consistently with obtaining the rate of profit now realized."

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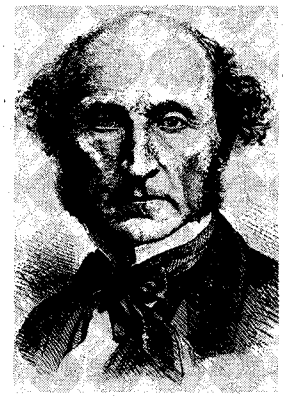
Such a consolidation, Mill saw, was clearly in the public interest. The concept of a "public utility" was reinforced.



John Stuart Mill

When Edison's electric light superseded illuminating gas, the parallel was obvious. It was not quite so obvious for the telephone.

It was not hard to see that the public benefited from having water piped into homes. But while some viewed the telephone companies as providing a similar vital service, others regarded them as being more akin to manufacturers selling ingenious machines in the luxury class. When only a few people had telephones, one observer called them "electric toys." Should Bell's invention be compared with Edison's new electric light, or was it more like his phonograph? As the proportion of homes and businesses with telephones grew, the usefulness of the telephone increased greatly.

Then there was the matter of geographic area served. An exclusive franchise for a specified area is a natural corollary of Mill's concept of a public utility. And exclusiveness was a troublesome subject.

When two or more rivals supply a similar service, competition keeps each up to the mark, or else some eventually lose customers and go out of business. If in the public interest, government removes that rivalry by granting exclusive franchises, then government must provide the mechanisms for preventing arbitrary or excessive charges or unreasonable or discriminatory regulations.

The doctrine of public regulation of privately owned resources has its roots in Roman law and the tenet of *justum pretium* —"just price." English common law provided a rationale for regulation. In an essay on rates for wharf services, Sir Matthew Hale, Lord Chief Justice of England, established in 1670 the criterion that private industries "affected with a public interest" may be regulated by the public:

> "If the King or subject have a public wharf unto which all persons that come to that port must come and unload their goods...because they are the only wharfs licensed by the King...or because there is no other wharf in that port...there cannot be taken arbitrary and excessive duties...but the duties must be reasonable and moderate....For now the wharf and crane and other conveniences are affected with a public interest."

Various municipal boards did undertake to control the quality of service provided by water, gas and electric companies, usually through periodic reviews of franchises granted. It was no easy task. For quality of service leads quickly to questions of cost: good service for the price charged;

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equal prices for all customers for services of a similar nature, so that no one is discriminated against; adequate service capacity so that anyone able to pay for the service can have it.

Local officials had their hands full regulating the three industries already mentioned (water, gas, electricity). They were not eager to take on the responsibility of regulating the telephone business. And so redundant companies continued to exist in many towns. Confusion multiplied geometrically as the companies strung long distance lines to connect various cities.

Theodore N. Vail

Soon after he was elected A.T.&T. President in 1907, Vail enunciated the goal: "One policy, one system, universal service." He saw that the future of the business depended on having one unified telephone service for the entire nation—a service that every family and business could enjoy. That meant ending duplicate telephone companies, replacing them with exclusive telephone franchises. In other words, Vail understood that it was not enough for the nation to have telephone companies. What was needed—and what he sought to create—was a *telephone system.* Vail saw, too, that the very "exclusivity" of the franchises invited—indeed, demanded—regulation by officials elected or supported by the public to protect the public interest.

Vail thus agreed with the efforts of Gov. Charles Evans Hughes of New York and Senator Robert M. LaFollette of Wisconsin, who were working to persuade state legislatures to try a new approach to regulation through state utility commissions—responsive to the public at the state level—as best serving the public interest.

The state commissions, supported by public desire for efficient regulation, worked. Most public utilities came to be regulated on a statewide basis, and a framework of efficient regulation was set.

Vail recognized, however, that national regulation also was a necessary complement to state regulation, particularly since one company—A.T.&T.—was chiefly responsible for interconnecting the individual telephone companies into a telephone system.

As noted earlier, regulation of telephone companies already had begun to develop at the state level. But on the national level—for telephone lines and services crossing state boundaries—there was no federal counterpart to the state regulatory commissions, although telegraph companies had been regulated to some extent by the Postmaster General and the Interstate Commerce Commission under statutes dating back to the 19th century.

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Alexander Graham Bell

The first effort at comprehensive federal regulation came in the Mann-Elkins Act of 1910, amending the Interstate Commerce Act. Telephone, telegraph and cable companies were declared to be common carriers subject to ICC regulation.

Federal regulation took a new turn in 1934 with the passage by Congress of the Communications Act, which established the Federal Communications Commission. The intent of Congress—as it had been the intent of both Bell and Vail—is outlined in Section I of the Communications Act:

"For the purpose of regulating interstate and foreign communications by wire and radio so as to make available, so far as possible, to all the people of the United States a rapid, efficient, nationwide and worldwide wire and radio communication service with adequate facilities at reasonable charges...."

Almost alone among the nations of the world, then, this country entrusted the development and operation of its communications resources to private enterprise. It endowed companies with the rights and responsibilities of common carriers, each solely privileged to purvey its services within its territory but all in turn strictly accountable through state and national regulation to the public they serve.

Has it worked?

In 1968, President Johnson's Task Force on Communications Policy concluded, "It can be truly said that the United States has the finest telephone system in the world."

That kind of service didn't just happen. It was planned that way, right from the start.

One Bell System. It works.

Bell System

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after a fierce guerrilla war which continued until 1951. The tactics now being used against ETA may reflect in part the lessons of the Uruguayan police's struggle against the Tupamaros, but even more they may be seen as a regular weapon of the Spanish forces of internal repression against dissident groups. The idea, developed in the 1940s, is to saturate a given area with terror and thereby undermine the backup support without which the left-wing militants cannot exist.

The struggle of the 1940s against the regime was carried on at first by stragglers from the Republican army, who were joined in late 1944 by anti-Francoist exiles who had come home after fighting with the French Resistance. Their attacks on civil guard posts, on prominent Falangists, on power stations and railway lines kept up the morale of the defeated Republican population in the dark years of the 1940s. They reached their peak of success between 1945 and 1947 when they were receiving growing support from the peasantry and even managed temporarily to liberate a few villages. The government, then as now faced with the failure of military action against its unseen enemy, replied with a scorched-earth policy, evacuating entire areas, and by the creation of counter-terror groups. In dress and equipment seeming identical to the authentic underground, these groups acted as provocateurs and pillagers. Such confusion, fear, distrust and revulsion of violence were spread amongst the population that support for the real commandos gradually dried up.

The present tactics in the Basque country respond to a similar need and fulfill a similar purpose. Of course, the activities of ETA are more like those of the Tupamaros than of a rural insurgency like that of the 1940s or of the Cuban war of liberation. The strength of ETA has always been the selective nature of its terrorism and the elaborate care taken not to harm the innocent. Now the activities of the Guerrilleros de Cristo Rey are clearly designed to confuse the activities of the revolutionaries in an indiscriminate escalation of terror. The results remain to be seen but it is unlikely that the Basque people will be taken in and it is probable that all Madrid will achieve is the build-up of considerable reserves of anger and hatred which some future regime will have to dispel. □

HAWAII

BETWEEN L.A. & HONG KONG

RICHARD G. LILLARD

Honolulu

On April 11, during the final hours of the 1975 session, the eighth legislature of the state of Hawaii passed the Environmental Shoreline Protection Bill. In its final form it was a disappointment to supporters. One proponent said, "What was once the size of an onion has been peeled down to a pea."

Legislators responsive to landowners, developers and money lenders held the "special management area" to a strip only 100 yards inland from the shore. That is a perilously narrow zone in an era of monstrous high-rise hotels on narrow coastal plains. The authors of the measure had stipulated 1,000 yards. The bill gives management authority to the councils or planning commissions of the counties which, like the State Land Commission, have a record of submitting to pressures from developers. The environmentalists had wanted a state coastal commission and four county coastal zone commissions, with members selected for "their interest in the preservation and protection of the Hawaii coastal zone." Also, the bill delayed until December 1, 1975 any implementation of controls. This "grace period" is a tempting go-ahead for the bulldozer and the high-construction T-crane—"the state bird of Hawaii" for two decades. Some years ago, a similar delay in a Honolulu ordinance allowed a Manhattan skyline of tourist hotels to spring up along and even on Waikiki Beach.

The Shoreline bill did establish, as the House-Senate Conference Committee reported on April 10, a "special interim management of developments within an area along the shoreline while a general coastal zone management program is being developed." The Department of Planning and Economic Development is to complete the management program in 1978.

After December 1, then, Hawaii will, perhaps much more than in the past, control grading, construction and demolition, sand mining, dredging, filling in lagoons and any other change costing more than $25,000 that "significantly affects the coastal zone, taking into account potential cumulative effects."

Weak though it is, the Shoreline bill is an important start made by activists in the face of opposition from the investment interests that are accustomed to running or ruining the state's physical heritage. Passed along with Shoreline was a bill to reshape state planning policy, giving it a unified, comprehensive scope lacking now, when the policies of one agency often contradict those of another, as when Highways opens a valley to subdivision despite opposition from Agriculture. The Department of Planning and Economic Development has this task, too, to be completed by January 1, 1977. As Prof. Kem Lowry of the University of Hawaii said recently, the state needs to take stands. Does it want to slow urban growth? Does it want to preserve prime agricultural land? For years the Honolulu *Advertiser* has said that the state must choose between destructive quantitative growth and exemplary quality controls. Hawaii has been wobbling, unable to choose "between reasonable growth and the grip of the expansion ethic, between improvements and the making of another

Richard Lillard, a professor of English at California State University, Los Angeles, is author of Eden in Jeopardy (*Knopf*) *and co-author, with Elna Bakker, of* The Great Southwest (*American West Publishing Co.*).

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Los Angeles." For thoughtful Hawaiians metropolitan Southern California is indeed the nightmare model to the east, as Hong Kong is to the west. On tropical islands elephantiasis of any sort is a poor kind of growth.

Because of special conditions endemic to Hawaii, it all depends on the willingness of officials to enforce the laws and carry out the plans. If they fail of their responsibilities, irreversible degradation lies ahead. The most southern of the fifty states, the only tropical and completely insular one, the fourth smallest in area with the fourth longest shoreline, Hawaii faces possible destruction of its unique allures and charms. The North Americans who have taken to crowding in with their bodies, machinery and dollars are obliterating the very amenities that entice them.

Islands are fragile. Unlike continents they can easily become overpopulated with people or mongooses, goats or rats. They have very limited crop land, scenery, fresh water and sources of renewable energy.

In Hawaii, a confined area divided into eight conspicuous natural parts and many distant islets, no one can get far from beach and surf or the crash of waves against palisades of black lava. And like other volcanic islands, Oahu, Maui, Kauai, Molokai and Hawaii—"The Big Island"—have steep, uninhabitable interiors. Population, aboriginal or contemporary, has stayed near the sea.

And here, where coconut palms used to invite leisure, crowds and huge buildings and paved-over earth have engendered the quasi-permanent crisis that puts Hawaii in a special class just ahead of California, Arizona and Florida. They are all states with special subtropical glories—continuously endangered. The most populous archipelago northeast of New Guinea and New Zealand, the state most dominated by American citizens of non-European ancestry, the new Hawaii is a superb social laboratory in a wondrous setting. Participants and observers alike can watch to see whether this self-conscious, organized modern democracy succeeds and lasts or fails to plan for perpetuity. "Environment is our most important product," says Anthony Hodges, spokesman for tough planning, "and if saving it can't be done here, it's very doubtful it can be done on the mainland."

Like California, Hawaii has the double distinction of allowing horrible damage to the environment and of making strong pioneering attempts to correct the mistakes. Long ago, thanks to agitation by a women's group, Outdoor Circle, the territory banned billboards. In 1961, the new fiftieth state took a forward step no other state has ever taken. It passed a Land Use plan that classified every square inch of Hawaii under urbanization, industry, agriculture or conservation (preservation of the original condition, including historical sites). The intent was to preserve scenery, conserve the best soils, and prevent scattered subdivisions.

Alas, the law gave discretionary power to the Land Use Commission, but no firm guidelines or policies. Every five years it was to review boundaries between classified areas and make *ad hoc* decisions on requests for classification of parcels of land. The requests have always been to convert farming land to housing and other city uses, and the commission has approved 78 per cent of them. Two years ago, however, it reached an important negative decision that was a landmark victory for conservationists.

The Bishop Estate and Amfac-Trousdale wanted, in the name of progress, to develop prime sugar-cane acreage on Oahu at Wahiawa, north of Pearl Harbor. The proposal would have taken 2,300 acres of the best soil in Hawaii for 10,600 housing units, a fifth of them at "lower price ranges" beginning at $37,500. The developers objected to a recent planning study that called for keeping the classification agricultural and made a pitch for houses out in the country, far from Honolulu, to provide roofs for lower-income families. Their opposition included supporters of the state's Central Oahu Planning Study, Stewart Udall's Overview Corporation, which had prepared the Hawaii Open Space Plan, and—this time—a unanimous Land Use Commission. The staff report had said: "Prime agricultural land is a natural resource which is precious and limited. Once urbanized and developed, it becomes irretrievable."

The issue arose because sugar cane and especially "pine" (pineapple) have ceased to be the profit makers they once were. Del Monte, Libby and Dole say they cannot afford to pay the high Hawaiian wages and compete with plantations (that they themselves have started) in Southeastern Asia, Africa and South America. Hence landowners, prominently the Big Five, itch to subdivide choice flat tracts and harvest big money. Among the Big Five are Amfac, C. Brewer, and Castle and Cooke, and there is a sixth, the Dillingham Corporation.

The State Board of Land and Natural Resources, which has charge of conservation lands, exercises the right to approve "judicious development and utilization." It has been remarkably willing to allow spot use of mountains, forests, swamps, meadows, waters and headlands that suit developers for airports, heliports, resorts and urban-looking residences.

While the pathbreaking act of 1961 has increasingly shown signs of needing revision, environmentalists have been mounting one campaign after another. With much push from students, the legislature in 1970 created an office of environmental control and placed it in the hands of engineers and scientists on the university campus. Under Prof. Doak Cox, the Environmental Center has reviewed crucial environmental impact statements and has become very important in decisions that involve the quality of water on land and in the sea. Also the Department of Planning has been busy with studies, and the state has had reports prepared by Eckbo, Dean, Austin, and Williams of California and by the Overview Corporation, which urged, among other things, stronger centralized state planning and banning plane and helicopter facilities in conservation lands—enlightened notions that have stirred up resistance among the believers in physical progress.

Among those orthodox boosters, along with the landowners and the developers such as Headrick Development and Clarence T.C. Ching's International Development Company, are the Bank of Hawaii, the big retail chains, the airlines that own hotels, the longshoremen and the craft unions, the Construction Industry Legislative Office, and the tourist industry, ever eager to kill the goose that lays the golden eggs. The Waikiki Improvement Association has wanted more airlines, even when established lines privately did not, but it has opposed smut. Effectively

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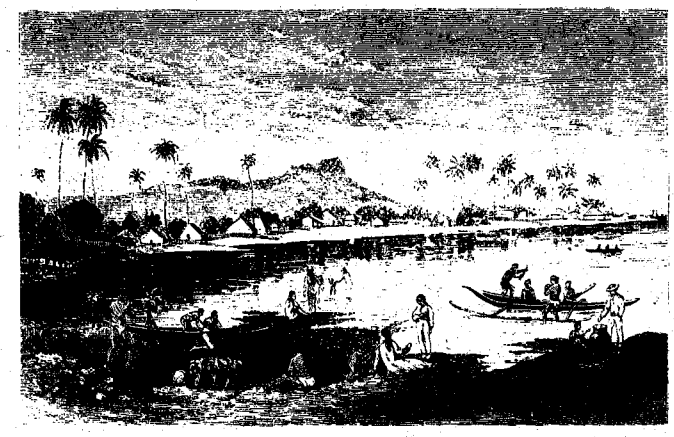
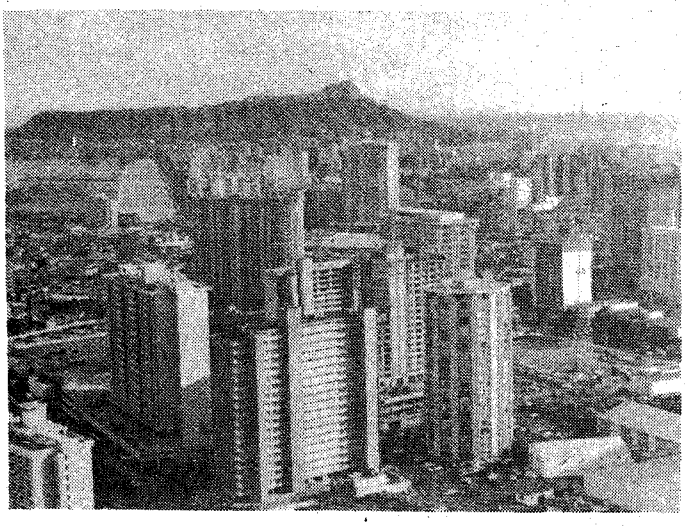
leading the whole group has been the late John A. Burns, Governor from 1962 to 1974, and a political force even before statehood came.

Burns pushed for harbors, marinas, big hotels and condominiums, airports, public schools, the university and its lower-division branches, freeways on Oahu, and highways that opened up new zones, such as the road just completed along the "Kamehameha Coast" on the west side of the Big Island. During his three terms, car registrations went





Diamond Head, 1874 and 1974

up 70 per cent, retail sales doubled, contracting tripled and tourism replaced cane and pine as the leading industry. Burns was for an open, free, swelling economy, mainland style, though with admirable sentiment he did try to save the small island of Niihau for its aboriginal inhabitants, by protecting it forever from modernity (the legislature would not go along with him). For his 1970 campaign he raised a six-sum figure from political appointees—a sum that the Japanese called *tanomoshi*—informal savings and loan.

Burns's Lieutenant Governor from 1970 to 1974—his *"boy-san"* or protégé, Burns called him—is George Ariyoshi, his chosen successor, who was inaugurated early last December. Ariyoshi is aware of altered conditions in the mid-1970s. He speaks of slowed-down, quality growth, of economic advancement that is compatible with limited room on isolated islands. He advocates controlling unwanted growth, diversifying crops, dispersing the population, widening the economic base and making the state more independent in food and energy. There are contradictions here. As Ming Fu Lu, an economic planner points out, more people need more fresh food, which requires more agricultural space. They also need more housing which, if built on farming land, suppresses crops and results in less local food, more expensive imports. How far Governor Ariyoshi will get, or try to get, in modifying the Burns program remains to be seen. Two of his first appointments to a land commission were former executives of Castle and Cooke. No one questions the Governor's powers. In Hawaii, the only state that was once a kingdom, the government is notably centralized, with the Governor almost regal by comparison with his continental peers. There are no incorporated cities. There are four counties and the state government, which does all zoning.

On the opposite side are small farmers, scientists and planners in government bureaus and at the university, and many articulate and established middle-class persons with a concern for ecology, tradition, beauty and civilized comfort. Speaking for them is the new Council of Presidents—leaders of community groups. In agricultural matters support comes from the Hawaii Farm Bureau Federation. Strongly active are the Audubon Society, the Sierra Club, the League of Women Voters, Save Our Surf (SOS), and especially the legally active group led by Anthony Hodges that takes its name from the first five words of the state's motto: "The Life of the Land Is Perpetuated in Righteousness." There are effective partisans in the legislature, among them Sen. Jean King, who is *akamai*—aware and smart. Editors of the Honolulu papers—George Chaplin in the *Advertiser*, and A.A. Smyser in the *Star-Bulletin*—have taken strong, consistent stands for environmental planning, open hearings and enforcement of the law.

So has Tom Gill, Lieutenant Governor during 1966-70, a wealthy, clear-thinking liberal who is against rampant growth and abuse of the land and for reforms in the tourist industry, which he sees as a shaky economic foundation. Says he, "Hawaii just cannot become another Los Angeles." His unfortunate defeat for the governorship in 1970 is the subject of Tom Coffman's *Catch a Wave: A Case Study of Hawaii's New Politics* (1973).

Which side will determine the future? Eventually compromise must end, just as land finally comes to tideline. "Buy land," Will Rogers used to say. "Buy land. They ain't making any more of it." (Oddly that isn't true of the Big Island, larger by hundreds of acres from lava, as yet sterile, that recently poured into a hissing sea.) But the same argument lends itself as well to "Preserve wilderness" or "Keep the best soils in crops."

No one in Hawaii seems willing completely to deny that facts are catching up with the dreams of the money makers. Honolulu itself, once the prime attraction in the northern Pacific, now repels many residents and visitors. With freeways chopping up the central district, the mountains sometimes obscured by smog and from many places always hidden by high rise, a beach in short supply of sand, coliform bacteria at large in the waves off Waikiki, and with a shortage of drinking water predicted, Honolulu remains a paradise only in booster brochures, one of which

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uses an idyllic photograph years out of date. A new sewerage line will discharge at a depth of 200 feet some 2 miles out from Sand Island. But observations at Santa Monica Bay and in Long Island Sound suggest that the Honolulu outfall will not be the end of the matter, especially when the *kona* or south wind blows.

The original Eden was almost without human population, but today parts of Hawaii's paradise are crowded, jammed tight. For the entire state (6,450 square miles) the population of 902,000 (estimated on July 1, 1974) comes to only 138 per square mile. But the famous square mile called Waikiki holds 75,000 persons each day—43,000 visitors, 14,000 residents and 18,000 employees. Such statistics look like card stacking, but the ugly mass of hotels, dwarfing Diamond Head, looms as a masterpiece of tourist stacking.

Outside Honolulu the conquerors and the defenders of nature struggle on against each other, the conquerors winning more often than not. Environmentalists failed to stop the building of TH—3, a freeway from Pearl City that will cross through unspoiled Moanalua Valley and rise on pylons to tunnel through the Koolau Range to the rustic lowlands on the windward side. This eyesore, defended as necessary for "national defense," is an example of corporate aggression with federal backing—contractors vs. scenery and developers vs. food-raising land.

Across Oahu on the windward side, already invaded by two tunneled highways, is peaceful Waiahole-Waikane Valley. There in April 1974, small farmers on short-term leases learned of plans to replace agriculture with heavy residential development. McCandless Estate had filed a "letter of intent" with the Land Use Commission; it wished to cancel all leases on 1,337 acres and build 6,700 homes. Several generations of farmers met at the elementary school, formed a community association and went to work. When the commission met in October, fifty persons spoke. Hawaiian citizens of Japanese, Okinawan, Polynesian, Korean, Chinese and Portuguese origin testified for more than ten hours, talking, reciting, even singing songs. They won.

Two months later residents a few miles away in Kaneohe were organizing to keep the Gentry-McCormack corporation from subdividing Heeia Fishpond and adjoining meadowlands. Residents of the town of Kailua were opposing a plan to rezone hundreds of acres of Kawainui Swamp, open-space habitat for a rare duck, by conversion from conservation to urban. A magnificent setting is in danger of residential blight. Also silt from bulldozed housing developments has for years been eroding into Kaneohe Bay, turning crystal-clear water into reddish-brown slop, covering and smothering beds of flower and mushroom coral—clams, too—and killing fish. One of the accompanying sordid sights of the bay is the sewage boil at the surface above the stubby outfall of the Kaneohe Marine Corps Air Station.

There is trouble on the Neighbor Islands—over retail development that will destroy old villages, over sewage disposal, over the endless proliferation of golf courses and massive resort hotels and tennis ranches, over finding suitable food crops to replace phased-out sugar and pine operations, over possible siting of nuclear or geothermal power plants, and over the invasion of *haoles* (in effect, mainland whites) into subdivisions on ex-farmland. An issue that has arisen on rural Molokai well represents others on Lanai, Kauai and the Big Island. It concerns a proposal for the dry northwestern corner of the island.

The Kaluakoi Corporation (Molokai Ranch, Ltd., and Louisiana Land and Exploration Company) wants to build 3,600 hotel units, 3,404 villas and cottages, and 6,605 houses or condominium units, to create a population of 30,000 by 1984. The corporation has support from the powerful Mayor of Maui County, who says the Kaluakoi development is the only one the county would allow to intrude on Molokai, and from the State Board of Land and Natural Resources, which would make available 40 per cent of the Molokai irrigation water system. This now supplies farmers on the Hoolehua Plain. Opposition comes from the Molokai Homesteaders Cooperative Association and from the Life of the Land, which finds economic, political, ecological and demographic objections, together with elements of ethnocide.

The present population of the island, 5,000 persons, is 43 per cent Hawaiian, 37 per cent Filipino, and 9 per cent Japanese. Only 7 per cent are *haole.* If 30,000 rich, middle-aged, mainland whites arrive, says the Life of the Land, they will outnumber, out-earn and out-vote the present agricultural population with its ethnic identities and ways of life. They will use up the good water and live as segregated as once the leper colony did on the northern tip of the island. Present farmers will have to leave or become servants in the rich *haole* ghetto.

It was not quite two centuries ago that Captain Cook rediscovered Hawaii for Europeans. Since then, like other small bits of oceanic land, Hawaii has endured catastrophic changes in its native plants and animals and its Polynesian civilization. Now catastrophe threatens the agriculture and the pleasant way of life evolved by *haoles* and other immigrants prior to the national disaster at Pearl Harbor. More and more the sovereign state of Hawaii has an economy resembling that of a colony, an underdeveloped nation, or a mere tourist stop, depending on energy and subsidy from elsewhere.

Oahu illustrates the point. In 1778, the 50,000 or so self-subsistent natives lived comfortably at the consuming end of a food chain that began with energy supplied by the sun to the plants of the land and the plankton of the sea. Today the hundreds of thousands on Oahu, with their automobiles and appliances, depend on oil and beef by the shipload and fresh vegetables by the planeload. Informed fellow citizens exhort the populace with little success to pay more attention to the resources in the sea around them.

Is Honolulu, together with the rest of Oahu, to become another Hong Kong with its 10,650 persons per square mile? Is it to be nothing more than roofs and blacktop, adorned with a few banyan trees, coconut palms, monkeypods and poincianas? Does much the same fate await Lanai, Molokai and Kauai? The answer could be "yes" unless thoughtful officials and the leaders of neighborhood and environmental organizations, aided by scientists and the new generation of public-interest lawyers, can reach the voters and win the legislature and the chief executive's office. Then, among other things, ducal corporations, abetted by a regal Governor, can no longer subdivide and rule. □

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BOOKS & THE ARTS

O'Casey's Plank and Passion

THE LETTERS OF SEAN O'CASEY. Volume I, 1910-1941. *Edited by David Krause. Macmillan Publishing Co. 972 pp. $35.*

KEVIN SULLIVAN

Sean O'Casey was a prolific, one might almost say a compulsive, letter writer. This first volume of his letters runs (sometimes it merely drags along) to just under 1,000 pages and, we are told, two more volumes are in preparation. These will be followed almost certainly by supplementary volumes—God only knows how many—covering various patches of correspondence which the present editor, Prof. David Krause, for one reason or another is not able to include in his planned three-volume edition of letters to, from and about O'Casey. The sheer bulk of all this is a little intimidating; in itself it indicates what we all knew about O'Casey—his garrulity, for example, and his generosity, his incredible energy and resilience, the latter qualities more generally associated with natural phenomena like the Lakes of Killarney or the Cliffs of Moher than with a run-of-the-street dramatist who is nevertheless some kind of literary genius.

The reputation for genius begins, and I think ends, with the early plays, the Dublin cycle which comprises *The Shadow of a Gunman, Juno and the Paycock* and *The Plough and the Stars.* That in any event is the commonly accepted critical judgment on O'Casey which only his most fervent admirers, on the one hand, or a handful of disenchanted begrudgers, on the other, would care to dispute. The reputation is sustained, but not powerfully supported, by *Purple Dust* and *Cock-a-Doodle-Dandy,* barnyard farces which are probably to be ranked next after the earlier tragicomedies. The experimental plays such as the controversial *Silver Tassie,* an experiment in expressionism, or *The Star Turns Red,* an experiment in ideological symbolism, are interesting as experiments but hardly memorable as works of art. Even the dramatic readings given to the early installments of O'Casey's six-volume autobiography—*I Knock at the Door* and *Pictures in the Hallway*—are more effective as drama than are his formal experiments with drama itself. So effective indeed that Brooks Atkinson saw in these readings—a bare stage, a handful of actors with scripts open before them, all plot, props, personae totally subordinate to the power and grace of language—that drama, stripped to its essentials, is and can be no more and no less than "a plank and a passion."

Sean O'Casey was above all a passionate man and his genius, if granted, is concentrated in this quality of his life which only occasionally carried over into the work. It was, and when we encounter it in the theatre can still be, a disarming passion; it disarms criticism by its directness and simplicity, by the purity of its intent and intensity, by the unashamed fact of itself. "Sean had no learning," O'Casey wrote in the last book of his autobiography, "no knowledge—what he set down were but his feelings moulded with words; there they were and there they'd stay." O'Casey's personal staying power was impressive—he lived on into his 80s—and the staying power of his language, despite the moldy edges of much of it, is in direct proportion to the passionate quality that informed the whole of his life.

But passionate men are impatient men, and impatience is a spoiler. This may seem a wrong-headed thing to say about a man who waited for more than forty years in the slums of Dublin—more putrid during O'Casey's years than the slums of Calcutta or Alexandria—before breaking out and asserting himself. Even so, it is well to remember that as one of the Dublin poor, a socially immobile and hopeless people, he was, however reluctantly, half-resigned to the appalling poverty in which he grew up, had perhaps—as the early plays suggest—a perverse affection for that way of life because it was *his* way of life, the only life he thoroughly understood from inside to out, the life that shaped him as man and writer. But what may appear in the plays as affection, disguised or distorted, shows through in the letters as rancor, invidiousness, even at times peevishness. He is impatient not, or not alone, with social injustice and its circumambient horrors, an attitude we can respect and applaud, but—and this note is sounded far more frequently in the letters—he is impatient with any opinion that is not his own and, we suspect, precisely *because* it is not his own. And this kind of impatience, under the pretense of high principle or down-to-earth common sense, gives rise to squabbles, literary or political but in every case personal, which spoil the tenor of a life and dissipate the energies of an artist who as an artist should have known, as Dylan Thomas knew, that "all opinions are bloody awful."

So, even before fame came to him, he is at odds with that most selfless of women, Constance Markiewicz, and as a result resigns from the Irish Citizen Army and is left in 1916, when Ireland's "terrible beauty is born," a straggling spectator rather than a participant in the stirring events of that year. So too a quarrel with Yeats over *The Silver Tassie* (there was later a reconciliation) separates him from Ireland itself and leaves him in stubborn exile a far remove from the people and places that fed his imagination and stirred his deepest feelings. Other squabbles followed—the record of them in the letters occupies a disproportionate and discouraging amount of space—with a long list of friends, acquaintances and sometimes total strangers: AE, Oliver Gogarty, Hanna Sheehy-Skeffington, James Agate, Noel Coward, Malcolm Muggeridge and a dozen others. For whatever reason, it was only with his American friends—Horace Reynolds, Brooks Atkinson, George Jean Nathan—that he maintained a balanced view of things, avoided altercation, and preserved unspoiled the qualities of friendship.

For it is also true that O'Casey, like that other Irishman Tom Moore, had a genius for friendship. When he quarreled, as he too often did, he thought he was quarreling about ideas and on grounds of principle. But perhaps more than any other writer of his stature O'Casey is innocent of ideas; his mind, unencumbered by education and uninhibited by discipline, was that of a poet, albeit a poet *manqué*, and he had, though he did not know it, an instinctive abhorrence of the abstract in any form. But forms of the abstract, though naturally abhorrent, were also insidiously attractive, and he was drawn to them like some old desert saint tempted beyond endurance to the embrace of an illusion he cannot dispel. O'Casey's embrace of communism was of this order—he thought and spoke and wrote of himself as a Communist, and like any old saint not knowing what he's about he made a bit of a fool of himself in the clinches. He defended the Stalinist purges of the 1930s with the fervor of a medieval monk in the employ of the Holy Office, and later when the Finns, who had won the admiration of all decent men the world over for the heroic defense of their country against crushing odds, were finally forced to yield, he could write to the

Kevin Sullivan, who taught for many years at Columbia University, is now teaching at Queens College, City University of New York.

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editor of a journal in Moscow: "May I say how glad I was at the smashing of the Mannerheim Line by your Red Army." The old saint's instincts, however pure, are corrupted by ideas, the spirit rigidifies in the embrace of ideology, the humanity of the man—his most endearing characteristic—all but disappears in a fog of abstractions.

The record left behind in his letters will do little to enhance O'Casey's reputation or elucidate his work. Since this first volume covers only the years 1910-41, this judgment may have to be modified on the appearance of subsequent collections of letters. But the probability is not great. For how much more is there to know about his work which will add to its intrinsic merit or support a critical reassessment of its worth? O'Casey is not after all a writer of the first rank if that rank is determined by the presence of fellow Irishmen like Yeats, Joyce, Shaw, Synge and Beckett. O'Casey himself, I think, would be the first to admit this. But if he is not profound he is important and plays a significant role in the history of 20th-century drama and the story of modern Irish literature. About the man there is doubtless a wealth of further detail buried in those still to be published letters; yet even new information of this kind will hardly call for drastic revision of the essential likeness we now have of the man, put together out of O'Casey's own self-portrait (the autobiographies), self-revelation (the letters), and from the indefatigable labors of his friend, editor and biographer, David Krause. □

The Banned History of Suppression

JUSTICE IN SOUTH AFRICA. *By Albie Sachs. University of California Press. 288 pp. $9.*

PETER DREYER

The rule of law, it goes without saying, is basic to any democratic system, and an independent and dispassionate judiciary is one of the chief criteria of a free society. Yet if Albie Sachs's carefully reasoned history of South African justice teaches any single lesson, it is that law does not exist in a vacuum. Judges are human. Magistrates are frequently all too human. Justice is part and parcel of the social order of which, finally, it is a function. No matter how ably and courageously individual jurists may stand out against socially sanctioned inequity, their efforts must in the end prove vain when faced with systematic political subversion based on a differential morality.

In its day South Africa has produced some remarkable lawyers, a number of them of international standing. These men have sought with profound conviction (in the words used by his successor, Sir James Rose-Innes, of J.H. de Villiers, Chief Justice in the Cape and later the first Chief Justice of South Africa) to maintain "the fundamental principle that no man's fundamental rights should depend on the colour of his skin." Using the authority of office and the rules of interpretation, they were in the short term able in many instances to do this; but in the long run they failed absolutely. "One sugars the pill," a Cape judge remarked recently, "one says politely that Parliament could never have intended to create an injustice of that nature. What is the result? The Act goes back to Parliament, and Parliament and the Bench become involved in a sort of legal ping-pong. In the next session Parliament patches up the loop-holes and fills the gaps." For the legislature and executive work precisely to create injustice, with the great majority of "white" South African electors backing them to the hilt. In the circumstances only a deceptive pretense of legality is preserved—which serves in the end as camouflage for the prevailing system. The pill sugared is ultimately a different one than that intended by the liberal jurists.

The law may be apolitical. But justice can probably not be done outside the consensus of full democracy. Every exclusion opens the way to inequity. The more who are excluded, the greater the inequity is likely to be, since government in all its branches becomes the tool of privileged electors and narrow self-interest.

"This book," says the author, "is a study against a background of social history of how the courts have been used over the centuries to regulate race domination in southern Africa." The history in question is certainly not the prettified myth we South Africans were taught at school. The master race knows little of their past. They are carefully shielded from it (as from the present-day doings of the security police) lest even they, at last, come to doubt. History honestly taught may well be the ultimate liberalizing discipline.

Justice under early Dutch rule was both brutal and antiquated. Right up to the British takeover at the beginning of the 19th century, sentence of death could be carried out in ways ranging from hanging (or strangling for women) to breaking on the wheel or cross with or without the *coup de grâce*, decapitation, quartering, chopping off of limbs, and even burning (as late as 1804 a person was sentenced to die by fire). Torture and mutilation were commonplace. These practices derived from the ordinary administration of justice in Holland—where, however, the absence of slaves inevitably mitigated their use. Much of the law depended on ancient precedent. When the Cape Fiscal was asked by the British early in the 19th century to prepare a report on the law relating to slaves at the Cape, his main source of reference was the Digest of the Emperor Justinian, published fourteen centuries before.

Some noteworthy advances were made under British rule. Torture and mutilation were abolished, and a modern system of justice came into being. In 1834 slavery, too, was done away with. A century ago *habeas corpus* was very much a reality in the Cape courts. But the historical trap implicit in South Africa's dual morality was already taking shape. "The extension of a single court-centred administration may be regarded as one of the main integrative forces in South African social history," Dr. Sachs believes. "Yet while it bound the diverse peoples of South Africa together in submission to a common authority, it was also destined on an increasingly large scale to enforce separation; the greater the integration, the more rigid the segregation."

One of the leading actors on this stage was Gandhi who, as a rather dandified young barrister, went to Pretoria in 1894 to handle his first major piece of litigation. South Africa was to be the birthplace of Gandhian passive resistance, or *Satyagraha*. "His abandonment of the splendid habits of a barrister in favour of the spare accoutrements of an ascetic was not precipitated by any sudden moral conversion. He adopted the philosophy of self-reliance partly because of the refusal of white barbers to cut his hair when he was due to go to court; he decided to renounce sexual pleasure and dedicate all his passion to public life after wandering in the hills of Zululand during the crushing of the Zulu 'rebellion'; and he vowed to refuse all food that gave pleasure to the palate after receiving the

Peter Dreyer is a South African writer, the author of a novel, **A Beast in View,** *and an autobiography entitled* The Future of Treason. *His biography of Luther Burbank,* **A Gardener Touched With Genius,** *will be published this fall by Coward, McCann & Geoghegan.*

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tasteless food given to black prisoners in South African jails." When war broke out in 1899 Gandhi found himself essentially in sympathy with the Boers, as victims of imperial aggression, but he nevertheless believed that British victory would usher in a new era of civil rights for dark-skinned South Africans; he served as an ambulance man with the British forces.

These hopes were dashed. The British officers he found harsher than the Boer officials had been, and after the war power was promptly handed over to all-white legislatures. Gandhi's passive resistance campaign against the imposition on Indians of trade restrictions and pass laws resulted in his conviction in the very court where he had formerly appeared as counsel. When he returned to India after twenty years spent in South Africa, Smuts, his chief opponent, remarked sardonically, "The Saint has left our shores. I sincerely hope forever."

But Smuts might have learned a great deal from Gandhi. Sachs writes:

> The Mahatma and the General were diametrically opposed to each other on many issues, but they also had much in common. Both were barristers trained in Britain, both belonged to communities aggrieved by British Imperial policy, both were activist politicians with a philosophical turn of mind, and both were noted for their simple habits and lack of personal ostentation. Yet whereas Gandhi was now entering a period of opposition to Empire, Smuts had just begun to follow the road of collaboration with the British, and whereas Gandhi was later to spend many years in prison for leading campaigns on behalf of a colonised majority, Smuts was to exercise power on behalf of a dominating minority. Gandhi is said to have spent some of his time during his first spell in prison fashioning a pair of sandals for his opponent Smuts, and Smuts is said to have remarked later that it was difficult to walk in the shoes of such a man.

When Smuts was swept from power in 1948, the year of the Mahatma's assassination, his enemies on the Right systematically dismantled everything he had worked for. It was the end of compromise. Henceforth South Africa would move inexorably toward total *baasskap*: and in the name of this "boss-hood" the clock was put back 100 years where justice was concerned. Perhaps the most poignant summary of the state of rights in South Africa today is the record of the death of a detainee which simply states: "An unknown man died on an unknown date of a cause unknown."

There are also those for whom the date and cause of death are known. The total number of judicial executions reported to the United Nations for the period 1961 to 1965 was 1,033. During the five-year period ended June 30, 1966, 508 persons were hanged in Pretoria, nearly half the world's total for approximately the same period. Other forms of punishment have not lagged behind. During the 1970s, statistics show, more than one African man in two can expect to be jailed.

This is, I believe, an important book. Simultaneously erudite and literate, it has won for its author the Cleveland Foundation's Anisfield-Wolf Award in Race Relations. But Dr. Sachs is a "listed" person in terms of South Africa's Suppression of Communism Act; it may not be printed, published, sold, reviewed, advertised or quoted in South Africa. "The one country where it really matters, the one audience I most wanted to reach, will not see or read the book or any others which I and a whole generation of other 'banned' persons may write. The very system of controls which I analyze prevents the analysis from being examined; a book that traces the evolution of a system of justice leading to the suppression of books cannot itself escape proscription."

So it goes. □

Unfinished Symphonies

EISENSTEIN. *By Yon Barna. Indiana University Press. 286 pp. $8.50.*

RICHARD PLANT

It is hard to believe: Sergei M. Eisenstein (or "S.M."—Seine Majestät, His Majesty, as his German admirers called him), perhaps the most famous film director, inventor, theoretician, whose *Grammar of Film* and *The Film Sense* still make good sense though they were conceived before sound was added to the vocabulary of the cinema—S.M. Eisenstein finished only seven films. It is one of the pleasures encountered in this study by a Romanian film and television director to follow the conception and planning of the numerous other enterprises which Eisenstein's over-fertile brain conceived in rapid succession, only to see them killed in the end. Some of these adventures existed only as thin outlines, others progressed to a complete shooting script.

Richard Plant, author and critic, has written on aspects of film for various publications.

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Yon Barna draws on many sources of which we can name only a few—mainly those not immediately available. He was given access to many preparatory materials for finished and unfinished projects; to sketches (some reproduced) which the designer Eisenstein produced by the hundreds; to notes made by S.M. while production was underway; to later discussions and analyses of his films; to the lectures S.M. gave at the film school when he was not allowed to shoot even a documentary, and to the famous study film, created by the indefatigable Jay Leyda, stitched together from parts of the original negative of *Que Viva Mexico*. The shadow of Jay Leyda, an early pupil of Eisenstein and perhaps the ultimate authority on the subject (though he would reject the word "authority") hovers over the book. Barna is often eager not to contradict Leyda. He takes special care to present the early years of this protean engineer-designer-director, son of a mixed marriage, member of the then flourishing Russian *avant-garde*, a friend of Meyerhold, Mayakovsky, Vertov, Dovshenko and others—quite a few of whom did not survive the purges. And here Barna can't cope. Perhaps he couldn't publish it in Romania, but he never states the plain and sad fact: after the first years of artistic freedom had been terminated by Stalin, Eisenstein carried on a desperate struggle with the bureaucracies who insisted he follow the party line to the letter. But the party line changed and, to mention only one instance, *Alexander Nevsky* could not be shown while the Molotov-Ribbentrop pact was on. Even more: in the case of *October*, Stalin, seeing the rushes, ordered cuts, particularly one speech that showed Lenin in too favorable a light. While Barna doesn't shy away from describing the dubious part Upton Sinclair played in the disaster that engulfed the *Que Viva Mexico* adventure, he only touches on the cruel fact that S.M.'s film had aroused the displeasure of the Gogolian censors, such as the wretched Shumyatski who squashed so many promising ventures—only to land in jail himself later on, as a deviationist.

The tragic fate of Eisenstein's effort to create a hieratic epic out of Mexico's history, has now been chronicled by Harry Geduld and Ronald Gottesman of Indiana University, and Barna gives them due credit. Whether S.M. was really foolish enough to include pornographic sketches in the material he wanted mailed to New York, we will never know. That Sinclair, a righteous Puritan, would be outraged stands to reason, but it is even more probable that the Russians by that time wanted S.M. back and the "subversive" *Mexico* negatives destroyed. One fact, Barna admits, remains clear: Stalin by then considered Eisenstein a traitor. In the following purges Eisenstein lost some of his best friends and co-workers (Babel, Tretyakov), but he survived to create *Alexander Nevsky* (a command performance originally) in collaboration with Prokofiev.

He is awarded the Order of Lenin, earns a Ph.D. in science, is honored by the public and the apparatchiks, begins to study El Greco, develops new theories on the use of color symbolism for *Alexander Nevsky* which he planned as a "chromatic rhapsody"—but is never at rest, never secure. The savageries of *Ivan the Terrible, Part I* arouse the censors, and while his virtuosity expands to the handling of professional actors (he had previously preferred *typeage* actors), the framing of single shots and the perfecting of his montage principles, the war cuts him off. *Ivan the Terrible, Part II* cannot be started, and the feuds with the bureaucrats leave him exhausted. He dies on February 11, 1948, at the age of 50. Barna's valuable investigation, first published in Great Britain and rendered into often wobbly English by Lise Hunter, must be considered together with the works of Jay Leyda, Marie Seton and others, if we search for a reliable portrait of this "Leonardo of film." Perhaps, one fine day in spring, the Soviet authorities will allow a scholar to investigate the archives they closed even to the writer from friendly Romania. □

THEATRE

HAROLD CLURMAN

I am glad the American Place Theatre has a box-office success in Jonathan Reynolds' two short plays—*Rubbers* and *Yanks 3 Detroit 0 Top of the Seventh*. For some years now the American Place Theatre has devoted itself exclusively to new American plays. Such a program is perilous, since one cannot expect it to bring forth a large number of critically satisfactory scripts. Good plays are rarely numerous at any time—and a program limiting plays to a single national era is likely to court disaster.

On the whole the American Place Theatre has achieved a remarkably favorable record, but seldom have its productions been rewarded with so pleasant a monetary return as on the present occasion. The reasons for this particular success may be that the first of the two plays is hilarious and the second has an appeal of a subtler nature.

Rubbers is a political caricature outrageous enough to approximate the truth. The scene is the Assembly chamber of the New York State legislature. A proposed bill for the advertisement and open display of contraceptive appliances is being debated. What makes the piece so funny is not the jokes which inevitably attend a discussion on the subject but the incredible idiocy, the goon ignorance, the clownishness of the Representatives, all of whom are mental pygmies.

The writing and the direction by Alan Arkin have something of the quality of a home jamboree among particularly bright and irreverent city boys whooping it up at the expense of their elders—particularly those in government—with no care at all where the chips may fall. The result is a riot of laughter. Nearly every figure we meet is sidesplittingly absurd, but my favorite is Mr. Pard, as played by Macintyre Dixon, who has been in the legislature time out of mind and who ascribes to FDR every cliché ever pronounced by anyone at all in politics. It is a marvelous lampoon of cracked-brain irrelevance and senility.

Yanks 3 Detroit 0 Top of the Seventh is chiefly the stream-of-consciousness monologues of a baseball pitcher at the point of agonizing uncertainty as to his continued proficiency. Apart from colorfully salty patches of writing, two elements contribute to the interest and sympathy this

KEEP STILL

Keep still

very still
like a sundial,
logician of shadows.

Be silent as stiles,
stony to the hand,
under our vaulting bodies.

Or a fresh-water pond
secreting lily stems,
their noose around us.

Come, watch steam in a pot
build without sound,
hoarding its force
(only overgrown
it growls with cookery).

Soldiers and the sick
stifle their breathing.
The troops stiffen to sight down
the barrels of guns . . .
the sick chill on x-ray tables,
waiting for the foreign pictures.

Is stillness the first wonder?

We see the circus fellow on all fours
at the base of his human pyramid.
He will last.
He knows the quiet of sawdust.

Anne S. Perlman

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sketch arouses. Pitcher Emil ("Duke") Bronkowski is not alone a baseball character but identifiable as any middle-class citizen on the verge of losing his staying power. He is in growing fear not only of damaging his "prestige" but of losing his comfortable livelihood.

Then, too, we enjoy the charm of Tony Lo Bianco's Bronkowski. There is an innocence and warmth in the actor, a lovable softness which redeems the banality of the character. Lo Bianco's unflagging energy makes his performance a physical tour de force. Throwing the ball speedily and precisely with both right and left hand, he is the best pitcher in our acting league, an endowment more surprising than we find in any of our fencing actors.

Mitchell Jason is notably engaging as an "old salt" coach given to a continuous flow of stale or silly proverbs and maxims—the best writing in this section of the show. But as I left the theatre I wondered whether the order of the two pieces should not have been reversed—with the less "serious" of the two to conclude the evening.

What is most important in the revival of Arthur Miller's *Death of a Salesman* (Circle in the Square Theatre) is not the merits or faults of the production but the text itself. Despite its initial success in 1949 and widespread reputation for high excellence, there have been and probably still persist in the byways of critical opinion those who cavil at the general acclaim.

The play, it has been said, cannot be a tragedy because its central personage, Willy Loman, is more or less a fool, almost literally a "little" man whose aspirations are mediocre or trivial. The question whether the play is a tragedy or not has never occupied me in the least. For purposes of appreciation it may just as well be dubbed a comedy: aesthetic nomenclature doesn't help understanding.

The play is neither an attack on the "system" nor a cautionary tract. Its comedy and pathos arise from the depiction of people detached from reality. Willy Loman, in particular, is nowhere; he flies through an ether of illusion because he and the world in which he dwells lack truly human values. Yet he believes in that world and dies without ever becoming aware of its emptiness. For want of recognizing the unsubstantiality of his condition he, with all the good will possible, destroys not only himself but his almost equally benighted family.

Willy's economically luckier neighbor, Charlie, speaks in specifics when he says, "Willy was a salesman. And for a salesman, there is no rock bottom to life. He don't put a bolt to a nut, he don't tell you the law or give you a medicine. He's a man way out there in the blue, riding on a smile and a shoeshine." But what should be evident through the play is that in our civilization we are all somehow placed in Willy's position: we all become "salesmen"!

Willy does not possess his soul. Or if he conceives of one, his notion of it is based only on concern for his family's well being—that is, its prospering, its gaining position and power in a society which is itself very nearly a spiritual vacuum.

Willy is better than most because he is a dreamer. His dream is a false one because it corresponds only to what is immediately given as the object of dreams—swell jobs, fat incomes, splendid accouterments, splash and display. Yet all the while we perceive in Willy's funny and dismal twists and turns, his perpetual mouthing of vapid slogans culled from commercial publicity and received doctrine, a reaching toward something that might nourish the hunger of his inmost being. He envies the success of his neighbor's lawyer-son who is to argue a case before the Supreme Court; he idealizes the phantom of his brother who went into a jungle and achieved a fortune—in diamonds. He cannot know that such envy and "ideals" are the very crystallization of his folly. His unconscious integrity as a true person has been dissolved in his fantasies. Because of them he cannot discover his deepest needs, his native aptitudes or the full treasure of his love.

Willy Loman is no special case, nor is his plight merely a sad story: his number is legion; I almost said, universal. Hence the power, the stature of the play. Not to recognize this is to put oneself in the category of the man in the audience who on seeing the original production summed it all up by muttering, "That New England territory [where Loman plied his trade] always was a bitch." Miller's details are commonplace, chosen as they are from the routine of a petty existence, but they add up to something far greater than the particles. In more ways than one, he was right: attention must be paid!

One might say of the new Loman, George C. Scott, that he is an actor of tremendous clout. He is always vivid, never less than arresting. He is one of the few American actors who create the impression of a mature manliness: most others strike me as grown-up boys. Scott understands Loman but he gives him almost too much personal dimension. That is a matter of personality, rather than of interpretation. He is more the boss or the man who might have been the boss. What he and the production he has directed miss is a pervasive tone of lyricism, subdued but nearly always present. Despite fitful explosions of temper which should never be abrasive, the characters all move in a realm of "romanticism"—yearning, laughable, touchingly tender. For all that is humdrum about the play it is not matter-of-fact naturalism; it has its own special poetry. The production suffers from a certain dryness, overcome only by the intrinsic spirit of the text.

There are other shortcomings, some of them technically unavoidable. In the last scene—the Requiem—for instance, it is impossible for the people to stand in line together over Willy's grave—impossible

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because the theatre's structure does not allow the necessary sight lines for such an arrangement. The characters are, therefore, dispersed on the stage in a manner which makes the funeral ceremony casual and haphazard rather than solemn, as it should be.

I was rather disturbed by the casting of two black actors as Willy's next-door neighbors—though both of them are good. James Farentino as Biff, Willy's older son, is too mature-looking and blunt, lacking the fineness of personal texture which the character must have, though he plays the climactic confrontation scenes (between himself and his father) with the proper hurt and dramatic passion. Harvey Keitel has a sweet callowness in the first act but unaccountably fades out in the second. Teresa Wright is a little too forthright as Mrs. Loman; she makes the woman more sensible than brokenly staunch in the limbo of crushing melancholy which is the Loman household.

But none of these demurs diminishes my conviction that one should see the play—certainly one of the signal best in the entire American repertory. □

DANCE

NANCY GOLDNER

For the record. On June 19 at the Uris Theatre Dame Margot Fonteyn and Rudolf Nureyev danced with the Martha Graham Dance Company in a one-time benefit. The machinery by which the two royal houses merged was a new Graham ballet called *Lucifer*. Nureyev danced Lucifer, the god of light, and Fonteyn, in the role of Night, was carried about. Fonteyn was evasive and moved gingerly when she was on the ground, but the Nureyev-Graham marriage was not hokey. He didn't look like a Graham dancer, but he didn't *not* look like one either. What happened to Nureyev in *Lucifer* is exactly what happened to him when he danced *Aureole* with Paul Taylor's company. He loosens up all over, so that his slithery mannerisms in the ballet repertory look naturally sensuous in the modern. At the same time, the new vocabulary and kinetic impulses cause him to be more involved with his body. He looks thoughtful and caring, which to my taste is more interesting and likable than the egotistic intensity he summons up for the great cavalier roles and that is foisted upon him in a contemporary work such as John Neumeier's *Don Juan*, which Nureyev performs this month with the National Ballet of Canada. The bulk of his thighs and buttocks is complementary to Graham's use of gravity, her open acknowledgment of mass and power. Whereas Fonteyn did not trust—at her age, probably could not trust—her body to recover from falls to the floor and knee walks, the only authentic Graham movements she assayed, Nureyev happily plunged into Graham's world from all directions.

Intimations that at this stage in his career Nureyev is more convincing as a modern dancer than as a ballet dancer because he is more the dancer, less the *danseur noble*, were reaffirmed at the Uris. On any other occasion this extraordinary state of affairs would have taken equal billing with the ballets that were danced—*Seraphic Dialogue*, *Lamentation*, *Diversion of Angels*, the duet from Act II of *Swan Lake* and *Lucifer*. June 19, however, was about money. Fonteyn and Nureyev were hawkers for seats costing a minimum of $125. The beneficiaries were the Graham company and school, but who knows how many people paid their money to see Nureyev and Fonteyn in *Swan Lake*? Or to witness their crossing of a river on the chance that it would be the Rubicon? Or just to be there for an Event, no matter what its substance? In a sense, the crucial substance was the god of light's jockstrap, made of real gold thread encrusted with real rubies. A major disappointment of the evening was that I could not see the rubies from my seat in the balcony. Another disappointment was that the choreography could barely be seen through all the Halston capes. (Fonteyn's was purple; Nureyev's red on the inside and gold and off-white on the outside.) Graham's change of dresses for her raconteuring speeches became as eventful as the dancing. One noticed that the colors of her gowns subtly paralleled those of the three Joans in *Seraphic Dialogue*, but that in terms of variety her changes in no way rivaled Dinah Shore's repertory for her old television show. This was also the perfect occasion to note, once and for all, Fonteyn's exquisite headpiece in *Swan Lake*, sleek feathers centered with spikes of jewels. A holdover from her days with the Royal Ballet, it is her personal emblem and, as I was gratified to see a few days later, the model for the Trockadero de Monte Carlo's drag production of *Swan Lake*.

Well, fashion shows are not out of step with fund raising, nor are they out of step with Graham's concept of dance. The hitch is that Graham has often had and eaten her cake. The costumes in *Seraphic Dialogue* are as brazen as *Lucifer*'s but nowhere as obstreperous. As in her other ballets of the last two years, *Lucifer* reveals a preoccupation with, perhaps even a dependence on, fancy dress and décor. *Lucifer* might be the only Graham ballet in which the set is smack in the middle of the stage. The protagonists recline on it, but more often than not Leandro Locsin's huge chunk of sculpture is dead space which Graham must work around. *Lamentation* could not exist without the famous woolen sheath encasing the dancer, but in this solo the costume gives concrete shape to the dancer's metaphorical gestures of anxiety. There is no reason why Nureyev had to twine and untwine his cape about his arms or drag it between his legs or why Fonteyn had to make more than one appearance with hers as all-encompassing Night. And sadly, the main reason why Halston's other costumes for the ensemble were so important was that the choreography offered no counter diversion.

Champions of the performing arts must have been gratified to see Betty Ford curtsy to Graham at the end of the program. (Again for the record, Mrs. Ford curtsied with great tact and grace. If she developed these qualities as a student of Graham in the 1930s, so much the better.) I hope the Graham company pulled in lots of dough from the benefit and that the forthcoming auction of Nureyev's rubied jockstrap brings in as much. □

TELEVISION

PETER SOURIAN

ABC's Geraldo Rivera is perhaps best known as the New York *Eyewitness News* reporter who broke the story of horrendous conditions at the Willowbrook Center for the Mentally Retarded on Staten Island, and pushed until something was done about them. According to an Associated Press award citation he is "a special kind of individualist in a medium which too often breeds the plastic newsman."

Watching him on Friday, June 13, during his eleven-hour telethon to raise money for the mentally retarded, one wonders if he really is an individualist. If you are being given increasingly important exposure on a major network, then doesn't it automatically mean that you must be selling, your ratings must be good—ergo, you must be made of the same reassuring plastic as the rest of the guys, even if it's in a novel

Peter Sourian, a novelist, teaches English at Bard College.

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Wails with turnips,
Rocking the crib
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James Cole

shape? Certainly enough people are mad at enough things these days for the business of taking issue with large concerns to have become a commodity worthy of being packaged and sold by the large concerns themselves. Rivera is, after all, fast becoming a figure in the entertainment world. On the telethon he puts his arm around his agent and says what a wonderful guy he is, how much he loves him. During the course of the night he does about the same thing with a lot of people, including Mario Biaggi, Bella Abzug and the head of the Teamsters' local. He has the same modish hair style, same chic shirt and slacks as the actors in the smoother, more expensively produced commercials selling deodorant or cars. He could easily be a hero of a series with a title like, say, *The Young Advocates.*

In any event, it's true that he's not your standard newsman. He's definitely crossed the line, departing from the newsprint tradition of the reporter who's simply there to find out what's happening and describe it. Everything he reports is filtered through his personality, his feelings.

What is also true is that he's accomplished a few things, helped right a few wrongs. He started out as a storefront lawyer doing *pro bono* work in Spanish Harlem. In 1970, after a year of this, he came to feel that the legal profession as a whole had scant interest in the pursuit of justice for the ordinary person. He had been involved in more than fifty cases, and there were multitudes of others for which no one seemed to have time—even though lawyers are always telling us that they take on the cases of nasty (but wealthy) types on the noble principle that everyone has a right to a good lawyer.

Rivera calls TV the great multiplier. Because of it he has been able to plead effectively many little cases and big causes, including those of migrant workers, aged city dwellers, children born to drug-addicted mothers, and victims of faith healers and of land-sales frauds perpetrated by surprisingly large and "respectable" firms.

Since he looked well on newscasts as a legal spokesman for the Puerto Rican Young Lords, and because the FCC had begun to insist on more minority faces, he was offered a job on *Eyewitness News.* But it took a while before he got to do much of what he'd had in mind; they kept him busy testing waterbeds, covering fashion shows, interviewing circus elephants. One day, after threatening to quit, grouchily on his way to cover a story in Greenwich Village, he was confronted with a junkie in the process of jumping off a roof. While getting this on film, Rivera managed to record a hair-raising stream-of-consciousness monologue by the junkie's brother—who had a $100-a-day habit himself and who happened to be standing next to Rivera—eloquent on what had brought them to such a point.

That story led to more acceptance on the part of ABC for the kind of thing that had drawn Rivera into TV. No doubt its sensational aspect helped. Since then he has been a busy man. Along with continued local reporting for *Eyewitness News,* he runs a help center to handle consumer complaints of ordinary people, and he has a national show, *Goodnight America,* which does well with ratings by mixing spots of entertainment with lively investigations into the Kennedy assassination, the plight of shopping-bag ladies, painful details about the FBI search for Patty Hearst, and results of Ford's amnesty program.

Rivera and ABC aren't alone in doing such work on TV. While Public Television, ironically enough, rather lags behind, major commercial networks—less obliged to hunt obsequiously for financial support—have recently done effective muckraking shows on the quality of hospital care, airplane safety, waste on Capitol Hill, the ICC, the CAB, food advertising on children's programs, harmfully inept testing in schools, price abuses in the sale of prescription drugs, medical incompetence and a documentary on the legal profession in America today which suggests that the parasitism of lawyers described in Dickens' *Bleak House* is generic. (The networks have done nothing spectacular on TV violence.)

While the big networks do need good ratings in order to maintain their advertising revenue, they need not necessarily cater to specific large interests, and they have quite a lot of power themselves—which may eventually be tested under the antitrust laws. Under the regulations of the FCC, they are also required to serve the public interest—to a degree. I believe that their muckraking shows have indeed served the public weal and contributed to bringing about tangible change. Some examples of improving or at least evolving situations: TV has made the FAA look criminally foolish in not ordering that relatively inexpensive ground-proximity warning systems be installed on all airliners; there has been unprecedentedly strong local and federal legislative support for bills designed to control drug prices in spite of the influential pharmacists' lobby; the number of malpractice suits against lawyers has risen astonishingly in a very short time, because of the growth of sophistication in such matters that TV has the power to bring about. As for the nursing-home story, *The New York Times* had soundly treated it years ago with no result beyond the Kaplan Report, which actually managed to get lost! A lot of TV coverage the second time around may have made a real difference.

In what ways is Rivera less of a "plastic newsman" than some of his counterparts? For one thing, he is not a voyeur of misery like the reporter who recently asked a woman whose daughter had just been raped how she felt about it, or like the fellow who poked a mike at a homeless little boy and asked him where was his mommy. But Rivera is notably different because, considering himself to be "in the business of change," he takes the trouble to follow through and he has a talent for stimulating others to do so. For Rivera, all his chic notwithstanding, it seems that the story is not the end but the beginning.

Though there are a number of examples of this following-through, the classic one is the case of Willowbrook. Conditions there had attracted the attention of Robert Kennedy years ago. Then, as the resulting publicity receded, things went back to normal. Malachy McCort, the radio talk-show host, was one of the few people who kept at the story. But it's one thing to talk

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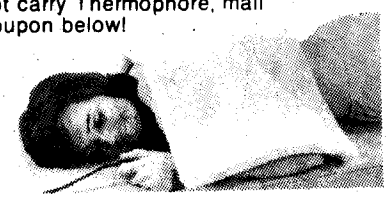

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about horrendous conditions on the radio, or to write about them; people may or may not believe you. It's another thing to see such things for oneself as nearly a million neighborhood living rooms are invaded evening after evening with sights of abject misery, nakedness, squalor, fear, disease, nightmarish loneliness—all taking place a few minutes away. Rivera literally forced his way in with his camera, as he has done on other occasions (investigating conditions in Manhattan's sleazy single-occupancy hotels, for example).

The follow-through in the case of Willowbrook was the creation of a charitable fund-raising institution called One On One. With Rivera as chairman, and Orin McCluskey as executive director, One On One has developed a grass-roots movement of small contributors and raised seed money while getting matching funds to start community-based residences for retarded persons. In two years, One On One has been directly involved in the creation of eight of these attractive units, and expects to open eleven more by the end of the year. The maintenance of these centers, which train people to function in the surrounding communities, is actually cheaper per capita than maintenance of human warehouses like Willowbrook. As for Willowbrook itself, the American Civil Liberties Union has just won a consent decree in federal court, setting detailed standards for the administration of the institution, involving transfer of patients, new staff-inmate ratios, adequate clothing, education, recreation, diet and dental services. Could so much have been accomplished in two years without Rivera's "great multiplier"?

The One On One office is scrambled in with Rivera's other TV operations at one of ABC's studio buildings in Manhattan. The place looks like a chaotic war room, with volunteers sprawling all over tables, chairs and floors, manning telephones and coffee cups, Rivera occasionally moving cheerfully about, maps on the walls with pins denoting the supermarkets that serve as money-collection points. In the midst of all this is Help, the consumer complaint center which has grown out of, and feeds into, Rivera's almost daily three-minute consumerist spots on *Eyewitness News*.

The Help Center's phones once handled 1,400 calls in four hours. Such a service cannot function without volunteer support, a large part of which is drawn from the Fordham and N.Y.U. Law Schools which allow some academic credit for the work of checking out complaints and trying to resolve them—a great many of the complaints are due to misunderstandings which a third party with media clout is peculiarly able to resolve. But there are other volunteers too—retired people, waiters, the unemployed—and they stick at it. Rivera says that in the flashier 1960s he might have had hundreds of groupies swarming in to volunteer to help and then vanishing as the unglamorous days passed.

When there are a lot of complaints that zero in on one problem, like land-sales frauds, Rivera may go in with a camera and then show the filmed results to the appropriate authorities. He got action from Mario Cuomo, New York's Secretary of State, after some of his people posed as prospective buyers, having equipped themselves with hidden cameras and cassette recorders. A dozen of these films were shown on *Eyewitness News*, and a number of people who had no hope of recovering their money have been reimbursed. Peter Lance, the producer of the Help reports, says that the ratings are high and going higher. He intends to go to law school in the fall, a nice counterpoint to Rivera's trek from law school to TV.

There's some kind of moral to be drawn from that. I'm not sure what it is, but it may have to do with the notion that it's somehow sad that we have to hard-sell and blackmail and hoke things up in order to redress wrongs that have been caused by the hard-sellers, the blackmailers, and the hoker-uppers. Even so, in the midst of the telethon ballyhoo on Friday, June 13—the politicians sunning themselves, the Teamsters coming on humanitarian, the retarded children on show—it was the actress Colleen Dewhurst who said to Rivera: "You took a medium that is part of our lives, and used it correctly." It is part of our lives, and so is the hustle. □

RECORDS

DAVID HAMILTON

ELGAR: "Elgar on Record." Various performers; Sir Edward Elgar, cond. EMI-Odeon RLS 713. $47.70 (six discs and book, mono; recorded 1926-34).

A companion to "Images of Elgar," reviewed here June 18, 1973, this new set includes all of his remaining post-1925 recordings, most of them never before issued on LP. Since the earlier album covered most of the major works, this one is inevitably less interesting, but there are here two fine performances of *Cockaigne* (from 1926 and 1933); portions of a 1927 "live performance" of *Gerontius*; the *Froissart* and *In the South* overtures; and a barrelful of salon works and occasional pieces (the *Land of Hope and Glory* tune turns up four times, in one form or another). The performances are characteristically pointed and musical, the sound generally acceptable.

Quite as fascinating as most of this aural documentation is the conjoined book, Jerrold N. Moore's documentary history of Elgar's recording career with His Master's Voice, quoting extensively from correspondence and company files. The balance between economic reality and artistic (and historical) obligation is struck with a civility that stands up well under scrutiny; on the evidence of the actual records, HMV did remarkable justice to Elgar as a self-interpreter and, not without intention, helped give the old gentleman's life a focus in the lonely years after Lady Elgar's death, when his major compositional impulses had evidently faded away. As in the picture book that went with the earlier set, Dr. Moore is an ideal cicerone.

(Elgar's pre-1925 recordings, decidedly less satisfactory but in some cases not remade in the later period, are also being reissued in England under Dr. Moore's auspices, on the Pearl label; six discs have appeared to date, and may be found at shops handling a good selection of imported recordings.)

Other recent imported recordings of historical significance:

BACH: Cantata No. 82. HANDEL: Arias. WOLF, SCHUBERT, BRAHMS: Songs. Hans Hotter, baritone; various accompaniments. Electrola C 147 01 633-4. $15.90 (two discs, mono; recorded 1949-53).

BEETHOVEN: String Quartets, Opp. 127, 131, 132, 135. Busch Quartet. Electrola C 147 01 668-70. $20.85 (three discs, mono; recorded 1935-37).

BEETHOVEN: Cello Sonatas, etc. Pablo Casals, cello; Mieczyslaw Horszowski, Otto Schulhof, and Alfred Cortot, piano. Electrola C 147 01 538-39. $15.90 (two discs, mono; recorded 1927-39).

BRAHMS: Piano Concerto No. 1. Artur Schnabel, piano; London Philharmonic Orchestra; Georg Szell, cond. World Records SH 223. $7.95 (mono; recorded 1938). □

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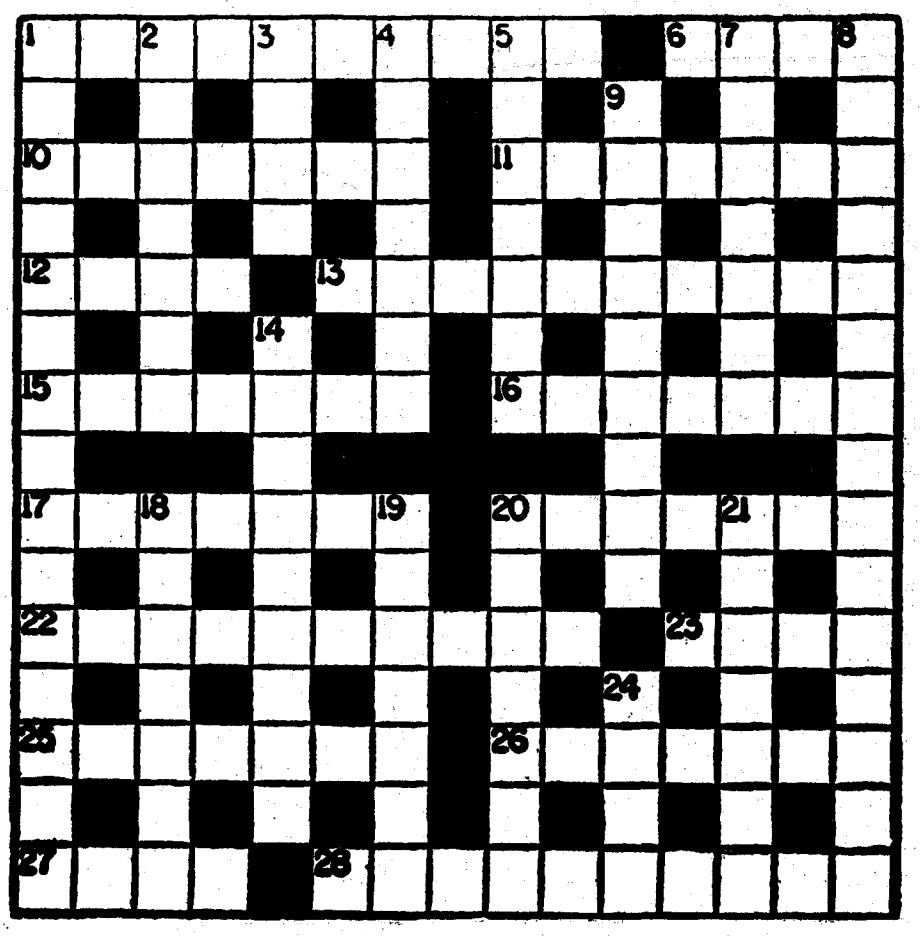

ACROSS

1 and 22 Frank talks with Arthur—possibly aired for your benefit? (5-5,10)
6 Fish used as a standard in weight comparison? (4)
10 Writing on finer material? (7)
11 Wanting to work things, by the sound of it. (7)
12 Healing priest? (4)
13 A bad phone connection with me having no French—but it can be scientifically explained. (10)
15 With more flavor. (7)
16 A mark beginners may start from. (7)
17 Music, wine, and entertainment a few years ago, or possibly a take-off connected with it. (7)
20 When your world is turbulent, it's naturally upset internally. (7)
22 See 1 across.
23 Is it logical that some might consider his "Wozzeck" cold? (4)
25 I might get to make an elemental change with the traditionally dumb guy I have an appointment with. (7)
26 and 27 The second person to be the subject of old Broadway musical. (2,4,1,4)
28 Those who serve must also look in a stall for it, perhaps. (4,3,3)

DOWN

1 If it does, might your pet come down with it in the fall? (4,4,3,4)
2 The first thing one does in a standard display? (7)
3 The beginning of scale drawings from him? (4)
4 Overturn a throne—but not this one. (7)
5 Rulings that many suits have to some extent. (7)
7 Locks inside this, for protection. (7)
8 It might turn out to be genuine, the big order to partners on the floor. (5,3,7)
9 One might make you sleep. (9)
14 With a couple of seers and an oil can, rub to manipulate. (9)
18 One from the USSR, in a logical disguise. (7)
19 Hardy girl, taking an age to find part of the flooring, perhaps. (7)
20 One might leave early, when the medico has nothing on but a sullen expression. (4-3)
21 The skimper's motto may be unavailing. (7)
24 Catches up by the arm? (4)

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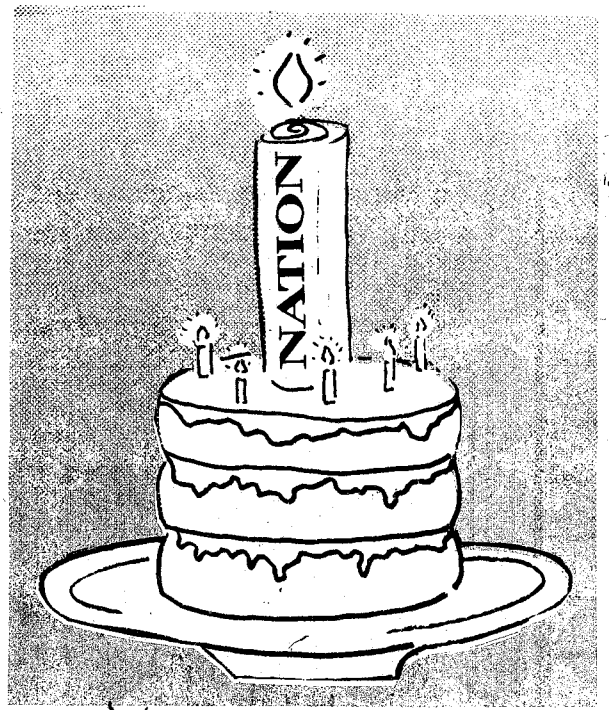

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